

**MOTION BY MR. P. SIVARAMA PILLAI UNDER
SECTION 7, SUB-SECTION (3) OF REGULATION II
OF 1108-TO EXPRESS NO CONFIDENCE IN
THE DEPUTY PRESIDENT.**

MR. P. SIVARAMA PILLAI : Sir, I beg to move that this house is of opinion that it has no confidence in the Deputy President.

MR. JOSEPH VITHAYATHIL : Sir, I rise to a point of order. The point is that this motion is out of order and that it has to be ruled out. Section 7, Sub-section (3) of Regulation II does not contemplate a motion of this nature. It contemplates only a motion for removal of the Deputy President. I request that the Chair may be pleased to permit me to substantiate the grounds of my point of order.

Sir, the Deputy President is a statutory person. The statute prescribes the procedure for electing him and for removing him. This procedure has to be strictly complied with. According to Section 7, Sub-Section (3), the Deputy President can be removed only by a vote of the Assembly with the concurrence of the Government. A vote of no-confidence is certainly not the same as a vote for removal. Even if this motion is passed, who is to remove the Deputy President? Under the Regulation, the Government has no power to remove him. Only this Assembly has got that power, *i. e.*, only this Assembly can remove him by a vote to that effect, subject of course to the concurrence of the Government. In other words, the vote must be for removal, and it will have effect only if it gets the concurrence of the Government. The motion is that this House is of opinion that it has no confidence in the Deputy President.

The convention that ministers responsible to the legislature resign as a result of a vote of no-confidence passed against them by the legislature has absolutely nothing to do with this motion nor can that be of application in the present instance. Here we have only to interpret the statute. In those cases, there is no statutory provision for removing the ministers by the legislature. Even in those cases, the vote of no-confidence by itself does not amount to a removal. There have been cases where the ministers even refused to resign after the passing of a vote of no-confidence against them by the Legislature. Therefore my point is that this convention has no application in the present instance.

The purpose of this motion is only an expression of opinion. The motion is that this House is of opinion that it has no confidence in the Deputy President. If passed, it may amount to a disapprobation of the conduct of the Deputy President, or its effect may be a warning to him for his future guidance. But that by itself certainly does not amount to a vote for removal. If the matter should come under this Section, the decision of the House must be that it removes the Deputy President from office. So this motion clearly does not come under Section 7, Sub-Section (3), of the rules. Therefore it has to be ruled out.

MR. KAYALAM PARAMESVARAN PILLAI (*Law Member*) : Sir, as I read the motion in the printed notice before me it is that Mr. P. Sivarama Pillai has given notice under Section 7, Sub-section (3) of Regulation II of 1108 that he moves that this House is of opinion that it has no confidence in the Deputy President. This motion should therefore be read with, and in the light of, the provision of Section 7, Sub-Section (3). The provision of Section 7, Sub-Section (3), is quite clear. It reads thus :

"The Deputy President shall cease to hold office if he ceases to be a member of the Assembly. He may resign office by writing under his hand addressed to Our Dewan, and may be removed from office by a vote of the Assembly with the concurrence of Our Government."

So then the Deputy President may be removed by a vote of the House. The question is how, and on what, that vote may be taken. The Regulation is silent as to the particular method or as to the particular motion on which the vote should be taken. Therefore any motion may be made as a motion on which to record the vote, if the purpose of the motion is clear to the House as also what the effect of the motion would be. If that is done, there would be sufficient compliance with the provisions of the Regulation; and the motion would be in order. The vote of the House is invited on this motion. There can be no doubt whatever that the vote that is invited from the House is a vote under Section 7, Sub-Section (3). If that be so, then the vote relates to the removal of the Deputy President and the motion would be in order.

The question of the actual removal of the Deputy President raised by Mr. Joseph Vithayathil does not arise at all at present. The question that immediately concerns the House is whether the vote contemplated by Section 7, Sub-section (3), can be taken on this motion or not. The particular method by which the removal would be effected has no concern for us now. All that we are concerned with is whether a vote on the question of removal can be taken, and I think that it can be done on the motion. The analogy of ministers *resigning* does not of course arise. Here it is a question of removing the Deputy President and taking a vote of the House on that question, as contemplated in Section 7, Sub-Section (3). In this view, it seems to me that the motion is in substantial compliance with the provisions of the Regulation. I may also add that there is no rule which lays down the particular procedure in regard to the vote being taken or the motion on which the vote should be taken. In the absence of any particular provision in the Rules and Standing Orders, the President may regulate the procedure according to his discretion, having regard to the privilege of the House and the necessity of carrying out the Regulation and the desires of this House. Viewed in this light also the motion, expressly brought as it is under Section 7, Sub-section (3), is in order and is quite clear in its purpose and intended effect.

MR. C. JEBAMONY NADAR (*Kalkulam cum Vilavankod*) : Is there not a difference between a general motion and this particular motion? If a motion is brought as a particular motion, should it not comply with the Rules on the subject?

MR. KAYALAM PARAMESVARAN PILLAI : Yes, it must. The motion is perfectly in accord with that rule. All that is required is that a vote of the House should be taken under Section 7, Sub-Section (3).

MR. E. P. VARGHESE (*Ambalapuzha cum Sherthala*) : When there is a statutory provision, should it not be stated in the motion regarding the detail of removal ?

MR. KAYALAM PARAMESVARAN PILLAI : Not necessarily. All that the legal provision requires is that a vote should be taken on the question of the removal of the Deputy President.

MR. JOSEPH VITHAYATHIL : Then, will it not suffice that a vote of the House is taken on the particular conduct of the Deputy President?

MR. KAYALAM PARAMESVARAN PILLAI : Yes, may be, if the purpose of the motion would be well understood.

MR. K. T. THOMAS (*Tiruvalla*) : Should not the motion be one for the removal specific ?

MR. KAYALAM PARAMESVARAN PILLAI : It is not necessary. The motion is under a particular Section, and the House understands very well that that Section is intended to operate on the question of the removal of the Deputy President.

MR. JOSEPH VITHAYATHIL : Is not the intention of the motion to be gathered from the motion itself ?

MR. KAYALAM PARAMESVARAN PILLAI : Yes, from all the parts of it.

MR. C. JEBAMONY NADAR : How can the removal take place without such a motion being passed ?

MR. KAYALAM PARAMESVARAN PILLAI : The motion comes under Section 7, Sub-section (3), and the vote will be a vote under that Section. Apart from that I also find that there is an amendment to the motion which reads thus :

"And that he be removed from office under Section 7 of Regulation II of 1108."

MR. JOSEPH VITHAYATHIL : If this motion is out of order, can the amendment be of any avail ?

MR. KAYALAM PARAMESVARAN PILLAI : No.

MR. K. T. THOMAS : Am I to take it that a resolution brought under the language of Section 7, Sub-section (3), is sufficient to record a vote ?

MR. KAYALAM PARAMESVARAN PILLAI : Yes, even the Section is cited in the motion.

MR. V. K. VELAYUDHAN (*Ambalapuzha cum Shertala*) : Can an amendment to a motion which has not been moved be read along with the motion ?

MR. KAYALAM PARAMESVARAN PILLAI : No.

PRESIDENT : The honourable member who raised the point of order is perfectly right in insisting on an adherence of the statutory requisites and if I had been satisfied that the terms of the Statute had been infringed it should have been my duty to have ruled this motion out of order. Scrutinising this motion I find that it is worded as follows: "Mr. P. Sivarama Pillai, Member for Minachil cum Todupuzha has given notice of a motion under Section 7 Sub-Section (3) of Regulation II of 1108 to express no-confidence in the Deputy President."

Turning now to Section 7, Sub-Section (3) we find the following provision.

"The Deputy President shall cease to hold office if he ceases to be a member of the Assembly. He may resign office by writing under his hand addressed to Our Dewan, and may be removed from office by a vote of the Assembly with the concurrence of Our Government."

What is needed therefore for the removal is not the removal as such which cannot take place by a vote of the House. A vote of the House by itself cannot effect the removal. It should be a vote of the House plus the concurrence of the Government. In other words, even though this House unanimously votes in favour of the removal of the Deputy President, the Government might have reasons of its own to come to the conclusion that he should not be removed and that the vote of the House cannot be given effect to. Therefore the removal of the Deputy President by the vote of the House should fulfil two requisites namely, the vote of the Assembly and the concurrence of our Government. The vote of the Assembly cannot therefore be exclusively invoked for removal. But if there is a motion that this House is of opinion that it has no confidence in the Deputy President and if it is moved under Section 7, Sub-Section (3), there can be no doubt that the idea underlying the motion by the House is for invoking the provisions of Section 7, Sub-Section (3). And in that process of invoking these provisions it is laid down that this House has no confidence in the Deputy President. The removal would be a concomitant of that. The Government should consider that a vote of the House embodies its inclinations and its desires, unequivocally. In other words, the statutory requisite is only that there should be a motion under Section 7, Sub-Section (3). That requisite is satisfied. In this connection, dealing with what fell from an honourable member, I may say that, if it had been made plain that a motion is under Section 7, Sub-section (3), no other words are necessary on the question whether there is confidence or want of confidence in the Deputy President. Once the Chair admits a resolution under Section 7, Sub-section (3), for the purpose of embodying the opinion of the House, that would be quite enough for the purpose; because Section 7, Sub-Section (3) is clear on the point. I therefore hold that the motion is in order.

MR. P. SIVARAMA PILLAI (*Minachil cum Todupuzha*): I am fully alive to the seriousness of the motion that I have undertaken to make. It involves grave constitutional issues, and privileges of the house, which it is our common desire to maintain and foster.

MR. M. G. MATTHEW (*Kartigapalli cum Karunagapalli*): Sir, I rise to another point of order. The resolution that has been tabled by Mr. Sivarama Pillai does not give the reason why the House should express its opinion of non-confidence in the Deputy President. If the Chair would permit me I will refer to Sir Erskine May's Parliamentary Practice regarding the procedure that is followed in Parliament in such matters. Page 216 Chapter IX deals with the terms of notice of motion. I shall read that passage. In this particular case, when this House is to express its opinion of non-confidence in the Deputy President it should certainly be placed in possession of the facts, why it should do so. In fact such other members as agree with me and I have certainly no notice for what reason we should express non-confidence in the Deputy President. Because we are not aware of such reasons and if the member gives them only now, I say we have not sufficient notice of the reasons to make our own decision in the matter, and I submit that the motion is out of order. The passage that I would refer to is this:—

“In the case of charges affecting personal character or conduct, however, no form of notice is permitted, save a specific notice of a substantive motion, which distinctly formulates the charges.”

On another page where the conduct of the Speaker of the House of Parliament as well as the conduct of the members of the House are to be discussed in the House, certain procedure is laid down on page 248, Chapter IX on matters dealing with substantive motions. It reads:—

“Certain matters cannot be debated, save upon a substantive motion which can be dealt with by amendment or by the distinct vote of the house. Among these may be mentioned the conduct of the sovereign, the heir to the throne, the Viceroy and Governor-General of India, the Lord-Lieutenant of Ireland, the Governors-General of the Dominions, *the Speaker*, the chairmen of ways and means, *members of either house of Parliament* and Judges of the Superior courts of the United Kingdom, including persons holding the position of a judge such as judge in a court of bankruptcy and of a county court. These matters cannot, therefore, be questioned by way of amendment, or upon a motion for adjournment. For the same reason, no charge of personal character can be raised save upon a direct and substantive motion to that effect. No statement of that kind can therefore be embodied in a notice stating that the attention of the house will be called to a matter of that nature.”

From these two passages, it is very clear that the House is perfectly at a loss to know for what reason Mr. Sivarama Pillai has tabled his motion to express the non-confidence of this House in the Deputy President. The House should have sufficient reasons for doing it. For want of the reasons the motion is out of order, and therefore it has to be ruled out.

MR. KAYALAM PARAMESVARAN PILLAI: In determining whether this motion is in order, we are governed by the provisions of our constitution. Our constitution is based on Regulation II of 1108, which says that the Deputy President may be removed on a vote of the Assembly. It does not say that the reasons should be stated in the motion for the vote and that is so for obvious reasons. When the vote is taken it has to be taken as a collective vote on the question whether he should be removed or not. The vote is not on reason A or B. It

[Mr. Kayalam Paramesvaran Pillai.]

may be that some members may vote for reason A and others for reason B. But whatever their reason be the vote must show that its ultimate purpose is that the Deputy President should be removed. That is all that concerns us when the orderliness of the motion is in question.

MR. E. JOHN PHILIPSE : Does not the member think that in respect of a motion of this nature, as a matter of natural justice, the person against whom a charge is levelled should be given previous notice of it?

MR. KAYALAM PARAMESVARAN PILLAI : We are just now concerned only with the question whether the motion is admissible or not.

MR. E. JOHN PHILIPSE : Is it not the privilege of a member of this house who is called upon to answer anything in the nature of impeachment that he must be given previous notice of the charges so as to enable him to defend his position? Should that not be the wholesome convention in a motion of this kind? This motion is a breach of such privilege and contravenes the elementary principles of natural justice, and as such should be ruled out.

MR. KAYALAM PARAMESVARAN PILLAI : That is absolutely irrelevant on the question immediately before us.

PRESIDENT : I shall first deal with the last point raised by the honourable member who spoke just now. I think he is perfectly right in asserting that, even if no rule is laid down, yet as a principle of natural justice, and as a matter of sound and wholesome convention, no person against whom or in support of whose office or position a vote is taken or a charge is formulated should have the proceedings conducted without giving him adequate notice. Therefore, if such occasion arises for such an opportunity to be given so that a person would not be taken by surprise by any statement or allegation made, then I think it would be necessary and consistent with the privileges and dignity of the House to see that no person suffers for want of notice. That is a matter in which I think the House will co-operate with the Chair in the enforcement of the Rule.

I shall now turn to the question of order.

MR. E. JOHN PHILIPSE : The very possibility that such a contingency exists makes this motion unconventional and out of order.

PRESIDENT : The question of order is very different from the question of procedure. I was dealing with the question of procedure.

In regard to the question of the maintainability of the motion itself, in the first place, advertance has been made to two passages in Erskine May's Parliamentary Practice. At page 234 it is stated :

"In the case of charges affecting personal character or conduct, however, no form of notice is permitted, save a specific notice of a substantive motion which distinctly formulates the charges."

Now, if there are charges against the character or conduct of any person I shall decline, in pursuance of that wholesome rule, to allow such charges to be made on the floor of the House. Such charges can and

ought to be investigated only after giving notice. I take it that the present motion is not based on such charges. As it is worded, it says that the person occupying the position of Deputy President of the Assembly should be removed from such position in as much as this House has no confidence in him. That may or may not involve charges of a personal character. If such charges are brought in during the debate on the motion, then it will be quite open to the House very legitimately to raise points of order and for the Chair to rule whether that can be allowed and, if so, to what extent.

The other passages referred to by the honourable member is contained at page 271 : —

“ Certain matters cannot be debated, save upon a substantive motion which can be dealt with by amendment or by the distinct vote of the house. Among these may be mentioned the conduct of the Sovereign, the heir to the throne, the Viceroy and Governor-General of India, ... For the same reason, no charge of a personal character can be raised, save upon a direct and substantive motion to that effect. No statement of the kind can, therefore, be embodied in a notice stating that the attention of the house will be called to a matter of that nature. ”

They can be raised only by way of substantive motions. In other words, this is an exception to the rule laid down at page 235.

So far as the present motion is concerned, it is intended to express the want of confidence of the House in a person, and, so far as I can see, does not involve charges of a personal character.

MR. M. G. MATTHEW : May I have a doubt cleared? Can any member refer to the conduct of the Deputy President outside the four walls of this House?

PRESIDENT : When the question arises actually, I shall deal with it. It does not arise just now, and is hypothetical at the moment.

MR. P. SIVARAMA PILLAI : Sir, the motion involves great constitutional questions and the rights and privileges of this House which it is our common desire to maintain and foster. Sir, it was in Regulation II of 1108 that, for the first time, this House was given the valued privilege and responsibility of electing its own Deputy President. Sir, the Deputy President is therefore the custodian of the rights and privileges of the non-official members of this House. He is invested with all the powers and responsibilities, more or less, of the President. His duties and obligations to this House are analogous to those of the Presidents of British Indian Legislatures and the Speaker of the House of Commons. It must be as a mark of respect to his position that our Deputy President is allowed to take part in State ceremonial functions; it must be as a matter of distinction that he is allowed to put on ceremonial robes on such occasions. Therefore he is honoured and respected as Deputy President, both within and without this House. It therefore follows that he is answerable to this House for his behaviour outside the House as well.

MR. M. G. MATTHEW ; May I now raise the question, Sir, whether the honourable member is in order in raising the question of the behaviour of the Deputy President outside this House?

PRESIDENT : I shall deal with the point straightaway as it is likely to be raised often.

When the Deputy President is sought to be impeached under Section 7 of the Regulation, I do not think, under the cloak of a motion like the one now before the House, the conduct of the Deputy President in his own personal capacity can be criticised. If, and only to the extent to which, he has acted, or arrogated to himself the right to act, as Deputy President, to that extent alone can his conduct be called in question. If, for instance, a person has given expression to his political opinion, whether those opinions have been expressed in his individual capacity or notwithstanding the fact that he is Deputy President, it is not, I conceive, a matter for this House definitely to deal with, and I shall rule out any discussion of a general political character, dealing with the political opinions of or expression of political opinions by a person. If such political opinions are objectionable, Government have ample powers to deal with the person. I take it that this House is concerned only with its privileges and dignities, and the question whether, acting as the Deputy President, as one of the exponents of this House he has forfeited the confidence of this House. I shall very rigorously try to confine the debate to the issues raised in the motion and if the debate wanders, I shall restrain it as in duty bound.

MR. P. SIVARAMA PILLAI : As our representative institutions develop, it is but natural that there will be political parties both inside and outside the House. Therefore the conduct of the Deputy President, both inside and outside, should be such that, he must not merely be able to command the respect of the members of this House but he must be able to inspire confidence in his absolute impartiality. Unfortunately, our Statute does not provide specific rules for the conduct of the speaker. Statutes elsewhere also do not provide for that. Nevertheless there are well-established conventions accepted by almost all parliamentary institutions of the world.

PRESIDENT : I think it will conduce certainly to the crystallisation of opinion and brevity of the proceedings if the honourable member will indicate the grounds on which he bases his motion, before dealing with the general conventions in parliamentary bodies, which are fairly well known.

MR. P. SIVARAMA PILLAI : Honourable members are aware that in 1111 a certain person by name C. Kesavan was convicted, for sedition under the Travancore Penal Code, by the High Court of Travancore, and was sentenced to two years' imprisonment and a fine of Rs. 500. On his release some weeks ago certain misguided persons wanted to congratulate him for what he had done. Responsible members of this House were sorry to find the Deputy President among those who were going about and taking part in such demonstrations by making speeches congratulating Mr. Kesavan for his so-called sacrifices and achievements.

MR. K. KESAVAN (*Karunagappa'li cum Karthigappalli*) :

മമ്മ. ത്തമഗാനഡി ജയിലിൽ പോയിട്ടുള്ള ആളാണെന്നു മെമ്പർമാർക്കറിയാമോ?

MR. P. SIVARAMA PILLAI : I am not prepared to answer the question, Sir.

PRESIDENT : Nobody compels you to answer it. (*Laughter*).

MR. P. SIVARAMA PILLAI : I consider such conduct from the Deputy President as an open attempt to encourage seditious and disloyal activities, which, I am sure, no member of this House will tolerate. It is not possible for me to look upon this conduct of the Deputy President with indifference. In his speech at Alleppey, he welcomed Mr. Kesavan on behalf of the 51 lakhs of people of this State and.....

MR. M. G. MATHEW : Is not the member again violating the President's ruling by referring to the conduct of the Deputy President outside this House ?

PRESIDENT : Honourable Member will allow him to finish the sentence ; because I find that he is referring to the report of some meeting.

MR. E. JOHN PHILOPOSE : I am rather surprised. I do not think the member has yet mentioned that point, Sir.

PRESIDENT : He did say something about 51 lakhs of people, and all that.

MR. P. SIVARAMA PILLAI : I was submitting, Sir, that in his speech at Alleppey, he welcomed Mr. Kesavan, the ex-convict, on behalf of the 51 lakhs of the subjects of His Highness the Maharaja. Sir, that representative character is undoubtedly based on his position as Deputy President of this House. And, in his Quilon speech also.....

MR. E. JOHN PHILOPOSE : Did he say that he was speaking as Deputy President.

MR. P. SIVARAMA PILLAI : I think that is clear from the newspaper report.

PRESIDENT : Honourable members will not guess what is reported in newspapers or other reports or documents ; if they want to refer to such reports, they must read the paper.

MR. E. JOHN PHILOPOSE : On a point of order. The honourable member refuses to answer questions put to him. This is a matter of considerable importance. I hope the mover would therefore give opportunities to other members so as to elucidate his position.

PRESIDENT : I think I have to make that point clear. When the debate is likely to raise controversies as to fact or acute controversies of opinion, it is but courtesy for an honourable member, when interruptions are sought, to yield his place. Of course, there is no absolute rule compelling an honourable member to yield his place ; and if he does not yield his place, the Chair cannot compel him to yield his place save by way of request. Honourable members in deciding their conduct on such occasions will remember that when, as cannot be concealed on this occasion, there are acute differences of opinion, it is as well that the fullest scope is given to all interruptions so that there might be complete elucidation of the points as they are made from time to time. This is a mere convention ; this is a mere canon of politeness and cannot be regarded as a ruling from the Chair.

MR. E. JOHN PHILIPOSE: Sir, on a point of information, will the honourable gentleman tell us the source of his information that Mr. T. M. Varghese claimed to speak on behalf of 51 lakhs of people?

MR. P. SIVARAMA PILLAI: Our Deputy President is supposed to be above party politics and above all considerations of party.

MR. E. JOHN PHILIPOSE: He has not answered my question.

PRESIDENT: Order, order. While it is true that I shall enforce the politeness I have indicated, I cannot enforce the answering of questions put by honourable members. That is not within my power.

MR. E. JOHN PHILIPOSE: When he yielded his place, it showed his willingness to answer the question.

PRESIDENT: It only shows that at the time he yielded his place he was tentatively willing to answer question.

MR. P. SIVARAMA PILLAI: Our Deputy President is supposed to be above party politics.

MR. P. KUNJUKRISHNAN: Did not the President rule that the Deputy President can be in the party and that he need not resign his place from the party?

PRESIDENT: The Chair has absolutely no business to interfere with the party affiliations or the party loyalty of the people. The Chair said in answer to a question on the floor of this House that to its knowledge the Deputy President has not resigned from the party.

MR. E. JOHN PHILIPOSE: And that he need not resign.

PRESIDENT: I do not think the Chair said that. It is not the function of the Chair to ask him to resign. It is the function of himself to decide for himself. The Chair has no jurisdiction in this matter.

MR. E. JOHN PHILIPOSE: It was purely an expression of opinion by the Chair?

PRESIDENT: Yes, that is alright.

MR. P. SIVARAMA PILLAI: When I refer to the speech at Alleppey I am referring to the report of the speech that he delivered there.

MR. E. JOHN PHILIPOSE: What is the paper and what is the date?

MR. P. SIVARAMA PILLAI: The Malayala Manorama dated the 4th October 1937.

MR. C. JEBAMONY NADAR: I suppose the honourable member has verified the accuracy of the report of the speech.

PRESIDENT: It is really irrelevant. How is he to find out whether the speech is correctly reported in that paper?

MR. E. JOHN PHILIPOSE: Without having that information, is it open to the honourable member to bring such a serious charge?

PRESIDENT: That depends on the honourable member's sense of propriety.

MR. P. SIVARAMA PILLAI : The report is as follows:— “സ്വാതന്ത്ര്യത്തോടു സഹജാതിനന്മയോടു പറ്റി ലേശവും ചിന്തിക്കാതെ തിരുവിതാംകൂറിലെ അവശത അനുഭവിക്കുന്ന എല്ലാ സമുദായങ്ങൾക്കും വേണ്ടി പലവിധത്തിലുള്ള കഷ്ടപ്പാടുകൾ സമ്മിച്ച ത്രാഗിശ്രേഷ്ഠനായ മി: കേശവൻ തിരുവിതാംകൂറിലെ മെലക്ഷം ജനങ്ങൾക്കുവേണ്ടി ഏതായാലും മറ്റും സന്തോഷപൂർവ്വം ആയ സ്വാഗതം ഞാൻ നൽകിക്കൊള്ളുന്നു.

After this speech was delivered.—

MR. V. K. VELAYUDHAN : Is it not open to any citizen of the State to claim that he represents the whole people of the State?

MR. P. SIVARAMA PILLAI : After this speech was delivered, there was a great deal of controversy about this claim of representing the 51 lakhs of people; and, as a result of that a press communique was issued by the Travancore Government.

PRESIDENT : Would the honourable member kindly repeat his observation?

MR. P. SIVARAMA PILLAI : I said that after the speech was delivered at Alleppey, there was a lot of controversy about the speech and that he did not represent the 51 lakhs of people to welcome Mr. Kesavan.

MR. G. B. E. TRUSCOTT : Sir, I am not sure whether I can raise it as a point of order. May I ask the Chair to direct the visitors in the balcony not to lean on the railing?

PRESIDENT : The honourable member will realise that the jurisdiction of the Chair as such extends only within the four corners of this hall. But the jurisdiction of two other functionaries, extends beyond; and the honourable member himself is one of those who can exercise the jurisdiction.

MR. P. SIVARAMA PILLAI : After this speech was delivered at Alleppey, there was a lot of controversy, and in a speech delivered at Quilon.....

MR. E. JOHN PHILIPSE : A question was put to him by the Chair as to what he really said about a press communique issued by Government, and he has not answered it yet.

PRESIDENT : He said that it was as a result of the controversy that a press communique was issued. It was so inaccurate that I wanted him to withdraw it. He must have known it; and that is evidently the reason for his not repeating it.

MR. P. SIVARAMA PILLAI : In the speech delivered by the Deputy President on the 12th October 1937, he said:— “തിരുവിതാംകൂറിലെ മെലക്ഷം ജനങ്ങൾക്കുവേണ്ടി മി: കേശവനെ അനുഭവിക്കുന്നതിൽ യാതൊരു അസാഹചര്യവും ഇല്ല എന്നു ഞാൻ ഇന്നും സന്തോഷം പറയുന്നു”

[Mr. P. Sivarama Pillai.]

This is what he said even after the controversy.

Now, Sir, our Deputy President is expected to be absolutely impartial; and he is responsible for the proper maintenance of the prestige and dignity of the House and he must be loyal to His Highness the Maharaja. He has broken these openly and thereby has definitely outraged and humiliated the feelings of this House to such an extent that I do not think any member of this House will be prepared to tolerate such conduct from the Deputy President.

MR. E. JOHN PHILIPPOSE: On a point of information. Does the honourable member really feel that these meetings were organised to welcome Mr. Kesavan as an ex-convict of sedition for the fact that he was guilty of sedition or for the fact that he was one who had the courage of his conviction to speak on behalf of the communities?

MR. P. SIVARAMA PILLAI: Once the election of the Deputy President was ratified by His Highness the Maharaja, we the members of this House welcomed him and gave him unquestioned homage due to his exalted position. Not only that; from the General Revenue we voted for a salary of Rs. 3,000 for him a year. Sir, we then expected, that he would conduct himself in such a manner as to command our confidence and that his conduct would be in keeping with the highest traditions of this House. As I have already said, he, as the Deputy President, whether inside the House or outside it, should not have stated that he represented 51 lakhs of people of Travancore, and welcomed Mr. Kesavan who was sentenced by the highest Court of Justice in Travancore for sedition.

MR. C. JEBAMONY NADAR: May I know whether the member is justified in saying that "this House is of opinion" and proceed with the resolution?

PRESIDENT: He only hopes that this House will be of opinion.

MR. P. SIVARAMA PILLAI: Sir, I say that such a conduct on the part of our Deputy President is sufficient for us to vote for his removal from his present office. Sir, we can no longer entrust to him our rights and privileges. We can no longer repose our confidence in such a Deputy President who is taking part in meetings got up to make hero of an ex-convict.

With these few words I commend my motion for the acceptance of this House.

MR. E. E. PANDARATHIL (*Travancore Jenmi South*): I second it.

MR. E. JOHN PHILIPPOSE: Sir, I really stand aghast and I am absolutely dumb-founded at the most flimsy, flippant speech that has ever been made in respect of the most serious proposition that could ever be placed before any responsible House of Legislature. Sir, in elucidating what he said or in framing the charges, the honourable member has not stated anything substantial that would really warrant a vote of censure on the Deputy President.

It is true, Sir, that meetings have been held throughout this land—the major meetings were held in three or four cities—where Mr. C. Kesavan was really given reception on a very large scale. These receptions were given not because of the fact that Mr. Kesavan was guilty of sedition nor was it due to any intention or any desire that sedition should run riot in this land. Sir, there exists in this country an organisation called the Joint Political Congress of which Mr. C. Kesavan was a very active member. Though in the course of one or two speeches that he made two or three years ago he made remarks which the High Court of this land has decided to be seditious, he remained and still remains an active member of this organisation and he has openly declared that he has never been loyal (*laughter*—I beg pardon—disloyal, that he never intends to be disloyal and that he will always continue to be a loyal subject of His Highness the Maharaja. I know that a slip of the tongue has caused a certain amount of flutter in the house.

PRESIDENT : The flutter was outside the House.

MR. E. JOHN PHILIPSE : It was inside the House. The flutter emanated from members in the treasury benches.

PRESIDENT : It did not emanate from there. The first two benches alone form the treasury benches.

MR. E. JOHN PHILIPSE : It did, Sir. In any case it is a matter that is not to the point.

PRESIDENT : That is alright.

My point is that Mr. Kesavan was never hailed by the people because he was guilty of sedition. The people who welcomed him felt that he had the courage of conviction to speak out what he felt in regard to communal representation in the public service. It was solely because of that that he was given those receptions. I pointedly asked Mr. Sivarama Pillai whether Mr. Kesavan was invited to those meetings now in question because he committed the act of sedition for which he was convicted; he was not able to answer. He has given up the game. If the Deputy President had welcomed Mr. Kesavan or anybody else who had committed an act of sedition because he had committed such act, I could very well agree that he is not entitled to the confidence of any responsible, any honourable citizen of this country. But, that is not the case. Mr. Kesavan himself, in all these meetings, has repeatedly stated that he never intended to be disloyal at all. Sir, in Mr. Varghese, our Deputy President, you have a gentleman of absolutely unimpeachable character, and honesty of purpose which cannot be emulated by many members of this House. Sir, I challenge the mover to place his hand on his heart and say that he honestly considers that Mr. Varghese does not deserve the confidence of this House.

MR. M. SIVATHANU PILLAI : (*Thovala cum Agastiswaram*): I would like to know whether all these remarks are relevant to the issue involved in the motion, *viz.*, whether the Deputy President, in his capacity as Deputy President, was right in welcoming Mr. Kesavan on behalf of and as the sole representative of the 51 lakhs of people of this State.

PRESIDENT: I do not consider this is exactly a point of order. The mover has based his resolution on the ground that the Deputy President ought not to have spoken on behalf of the 51 lakhs of people on a certain occasion. Whether, in combating that motion, honourable members should confine themselves to that one incident or statement, or could make introductory remarks in order to lead up to this argument is a question on which no point of order can be raised; and I take it that the observations of the honourable member now in possession of the House are by way of introduction to his main thesis.

MR. E. JOHN PHILIPSE: It is not only as introduction that I made the observation, Sir, but in answer to the mover's statement that he could no longer repose any confidence in a person who has been associating himself with an ex-convict. If that be his position and I think he did say that, who is the self-respecting man in the whole of India who does not associate himself with ex-convicts for sedition? Am I not right, Sir, when I say that matters of sedition are reprehensible only for the time being; once the attitude of mind changes, it ceases to be reprehensible. And naturally and rightly I think the Government of Travancore, the Government of His Highness, invited Mahatma Gandhi and C. Rajagopalachariar as State Guests. Both of them are ex-convicts for sedition and does anyone dare suggest that our Government has been inciting sedition?

PRESIDENT: I think I made it perfectly clear in my opening observations that nothing directly bearing upon the personal character or conduct of the Deputy President would be regarded as coming within the scope of the resolution the limitations of which I have indicated. The reference to people convicted of sedition is not really germane to the point under discussion. I would have checked that tendency on the part of the mover himself if my attention had been drawn to it then. The general question of sedition or association with people guilty of sedition does not arise on this matter. What arises is firstly whether, by reason of arrogating a particular position to himself, in welcoming a person, who may be seditious or not, the Deputy President was within his province or not; secondly, if it was not within his province, whether the House considers such transgression of such a character as to necessitate procedure under Section 7 of the Regulation.

MR. E. JOHN PHILIPSE: I bow to the Chair. I am happy the Chair has explained the position; and as a result I find that there is nothing for me to answer, because, after all, it is quite open to any public man to say that he represents the public, to speak on behalf of the public. That right was there; it will be there. It may be that Mr. Varghese, when he was speaking at Alleppey or at Quilon, made use of the words "51 lakhs of people" instead of saying "The public of Travancore". Is it the numerical enumeration rather than the implication that really calls for a censure by this House? Sir, in the whole history of Parliaments, no more absurd, no more silly accusation has ever been made than this. I repudiate it. No man who has any self-respect would have brought forward a motion like the one that has been placed before the House now. And, you, ...

MR. PUTHUPALLI S. KRISHNA PILLAI : Is it open to one member to address another? Under the Standing Order, everyone has to address the Chair.

PRESIDENT : At no time is any member in order in addressing another honourable member; he must address only the Chair. Rhetorically, sometimes, expressions are used which, although may in their implications, seem to refer to a wider audience, have to be treated as being addressed to the Chair.

MR. E. JOHN PHILIPOSE : I thank you, Sir, for your very liberal interpretation.

PRESIDENT : I do not think compliments to the Chair are in order. (Laughter.)

MR. E. JOHN PHILIPOSE : In all honesty I ask honourable members of this House whether it is fair and right, whether it is consistent with the dignity of this House composed of the representatives of the people, that, merely because, in a certain speech, the Deputy President said that he was speaking on behalf of the public of Travancore, this House should immediately withdraw the confidence reposed in him. It passes human comprehension; it passes common sense. If the allegation had been that Mr. Varghese had stated that, as the Deputy President of the Assembly, representing the 51 lakhs of people, he welcomed Mr. Kesavan, that would have been something. Even that has not been said. As a citizen, as a member of a public organisation, in a public meeting conducted in the most public manner, Mr. Varghese said that he welcome a certain gentleman on behalf of the public of Travancore. Sir I really do not see what the charge is which really calls for such serious consideration by this House. Sir, may I say that the motion of this nature has been brought forward by a member on his sole responsibility, without consulting any section or party. Sir, it is really a piece of extravagant insolence.....

PRESIDENT : I have been going through the list of unparliamentary expressions, and I find the word "insolence" there.

MR. E. JOHN PHILIPOSE : I beg your pardon, Sir, I withdraw.

I say with all the seriousness that I can command that this motion has been sent in by this individual member on his individual responsibility; and I may say that his individual responsibility will cease with that. I think this House will take it up and declare that this member had no business to bring it, and will throw it out with all the vehemence, with all the seriousness, with all the dignity that this House can command. I repudiate this motion.

MR. T. C. KESAVA PILLAI (Kalkulam cum Vilavancode) : മി. ശിവ
രാമൻനാഥർ കൊണ്ടുവന്നിരിക്കുന്നതായ ഈ നിശ്ചയത്തെ സംയുക്ത
പാർട്ടിയിലുള്ള മെമ്പർമാർ ശക്തിമത്തായ വാദമുഖങ്ങൾ പറഞ്ഞു
വിചിത്രമായി കേൾക്കേണ്ടതാകട്ടെ എത്രയുംകൂടി നാഷണലിസ്റ്റ്
പാർട്ടിയിലെ മറ്റു മാനുവൽമാർ ഈ പ്രശ്നത്തെ എങ്ങനെ അഭി

[Mr. T. C. Kesava Pillai.]

മലിക്രിക്കാൻപോക്കനും എന്ന് എനിക്കറിഞ്ഞുകൂടാ. ശ്രീമാൻ ഇ. സുബ്രഹ്മണ്യച്ചർ മുതലായവരുടെ നേതൃത്വത്തിൽ, സ്വതന്ത്രമായ അഭിപ്രായങ്ങൾ നിഷ്പക്ഷമായും നിസ്വാർത്ഥമായും തുറന്ന പ്രസ്താവിക്കാനും വ്യക്തിപരമായി ചോദ്യചെയ്യാനും ഉള്ള അവകാശം ഉപയോഗിച്ചുവരുന്നതായ ഈ രണ്ടു പാർട്ടിയുമല്ലാത്ത ഇൻഡിപെൻഡൻ്റ് പാർട്ടിയിലെ അംഗമായ എനിക്കു യാതൊരു ക്ഷോഭവും കൂടാതെ ചില സംഗതികൾ പറയുവാൻണ്ട്. നമ്മുടെ പൊന്നത്തമ്പുരാൻ തിരുമനസ്സുകൊണ്ടു മഹാസമുദ്രങ്ങളിലെ എത്രയോ തിരമാലകൾ കപ്പറത്തുവെച്ചു നമ്മോടു കൂടി അവിടത്തെ ആത്മാവ് ഇവിടെ ഉണ്ടെന്ന് അവർ ഞങ്ങൾ അയച്ചു തായ ഒരു മഹാസന്ദേശത്തെ ഈ മഹാസഭയിലുള്ള സകലരും മറന്നുപെരുമാറുന്നതിൽ എനിക്ക് അതിരറ്റ സങ്കടമുണ്ടു്. ഇതു തിരുവിതാംകൂറിലെ ഭാവസന്താനങ്ങളുടെ ശ്രേഷ്ഠ ഹാനികരമാണെന്നു ഞാൻ ഈ സഭാസമക്ഷം അറിയിച്ചുകൊള്ളുന്നു. തിരുമനസ്സിലെ സന്ദേശം ഇതാണ്.

"The two Houses of the reconstituted legislature of Travancore are now about to commence their labours and although I shall not be able to inaugurate them in person. I shall be with them in spirit and it is with the greatest pleasure that I send to them a message of God's speed and of congratulations to the elected and nominated members who are now shouldering large responsibilities..... very large powers vested in them and I hope and trust that in mutual co-operation and good feeling their powers will be exercised for the good of Travancore—Various communities and interests represented by election and nomination will realise that the world is passing through a critical period and that in Travancore—general levelling up of our standards with a view to secure for our people the peace and prosperity that are the aim etc. —"

പാർലിമെൻറിൽപോലും നമ്മെ അഭിനന്ദിച്ചിട്ടുണ്ട്. തിരുമനസ്സിലെ വാക്കുകളെ അവഗണിച്ച് നിന്ദാസൂചകമായിട്ടാണു നാം ചില ചെറിയ കാര്യങ്ങളെ വലുതാക്കുന്നത്. അതുപോലെതന്നെ തിരുമനസ്സിലെ മുൻഗാമിയായിരുന്ന ശ്രീമൂലം തിരുനാൾ മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു ൧൦൯൭-ലെ ൨-ാം ഗുരേഷൻ പാസ്സായ അവസരത്തിൽ അരുളിച്ചെയ്തത് ഇപ്രകാരമാണ്.

"I look up with confidence to you and to the officers of my Government to work in harmony, trying your best to understand each other and in a spirit of confidence and sympathy making the welfare of my beloved subjects your common concern."

എവിടേയും "മൈ ബിലവ്ഡ് സബ്ജക്ട്സ്" എന്നു മഹാരാജാവു തിരുമനസ്സുകൊണ്ടുമാത്രമെ പറയുന്നുള്ളു. ഞാൻ ഈ കാര്യം പറഞ്ഞത് മഹാരാജാവു തിരുമനസ്സിലെ തത്വത്തെ അവഗണിച്ചുള്ള പ്രവൃത്തികൾ കണ്ടുകൊണ്ടാണ്. മി. ടി. എം. വർഗ്ഗീസിനെ ഡെ

പൂട്ടി പ്രസിഡൻറ സ്ഥാനത്തുനിന്നു മാറ്റുന്നതിൽ സംയുക്തകക്ഷിക്കു എത്രമാത്രം സങ്കടമുണ്ടോ അതിടനക്കാൾ കൂടുതൽ സങ്കടം ഡെപ്യൂട്ടി പ്രസിഡൻറിനെ മാറ്റുന്ന ഒരു പ്രിസിഡൻറുണ്ടാകുന്നതിൽ എനിക്കുണ്ട്. ഡെപ്യൂട്ടി പ്രസിഡൻറു വഴി തെറ്റിയിട്ടുണ്ട്. ആ തെറ്റു പരിഹരിക്കത്തക്ക രീതിയിലുമായിരിക്കണം. എന്നാൽ സംയുക്തകക്ഷിക്കാരുടെ വാദമുഖങ്ങളും പ്രക്ഷോഭണവും കണ്ടപ്പോൾ അദ്ദേഹം ആ തെറ്റു ചെയ്തതായിരിക്കുമെന്ന് എനിക്കു തോന്നുന്നു. മാ. സി. കേശവൻ ജയിലിൽനിന്നും പുറത്തിറങ്ങിയപ്പോൾ ഡെപ്യൂട്ടി പ്രസിഡൻറു വലിയ സ്വീകരണം നടത്തിയതാണ് അദ്ദേഹത്തിന്റെ ചേരിലുള്ള തെറ്റു. കരമന ഒരു ചട്ടമ്പി (ഇന്നത്തെ ചട്ടമ്പി അല്ല, അന്നത്തെ ചട്ടമ്പി) ജയിലിൽനിന്നും പുറത്തുവന്നപ്പോൾ കുറെ പണമുണ്ടാക്കാനായി പത്തു നൊമ്പതിനു വെളിയിലിറങ്ങി; അയാളെ സഹായിക്കാനായി ഒരു ജഡ്ജിയുടെ മകനു ഉണ്ടായിരുന്നു. ആ ജഡ്ജി മകനെ വിളിച്ച് "ഇതു പിശകല്ലേ? നീ എന്റെ മകനായതുകൊണ്ട് മഹാരാജാവു തിരുമനസ്സിലേക്ക് എന്റെമേൽ തിരുവുള്ളശേഷം തോന്നുകയില്ലെ" എന്നും മറ്റും ചോദിച്ചപ്പോൾ ചട്ടമ്പിക്കു കുറെ പണം ഉണ്ടാക്കിക്കൊടുക്കാനായി ഞാനും കൂടി പോയി എന്നേയുള്ളൂ എന്നാണ് അയാൾ പറഞ്ഞത്. ഈ സമാധാനപോലെയുള്ള ഒരു സമാധാനം മാത്രമാണ് സംയുക്തപാർട്ടിയിൽനിന്നും വരുന്നത്. എന്റെ സബ്ജക്ട്സ് എന്നു പറയുവാനുള്ള അധികാരം മഹാരാജാവു തിരുമനസ്സിലേക്കു മാത്രമല്ലാതെ മറ്റാർക്കുതന്നെയില്ല. ടിവാൻജി അവർകൾക്കുപോലുമില്ല. അഥവാ ഉണ്ടെന്നുപറയുകയാണെങ്കിൽ ഞാനതു വക പച്ചുകൊടുക്കുകയുമില്ല.

PRESIDENT : The Honourable member must confine himself to the motion before the house.

MR. T. C. KESAVA PILLAI : ഞാൻ വഴിതെറ്റി സംസാരിച്ചതിനു മാപ്പുചോദിച്ചുകൊള്ളുന്നു. ഡെപ്യൂട്ടി പ്രസിഡൻറിന്റെ വഴിതെറ്റലിനെ സംബന്ധിച്ചുള്ള വാദമുഖങ്ങളെ ചർച്ചചെയ്തു കർശനമായ സമാധാനം വാങ്ങി അദ്ദേഹത്തെ താക്കീതുചെയ്തു ഡെപ്യൂട്ടി പ്രസിഡൻറായിട്ടുതന്നെ വച്ചാൽ നന്നായിരിക്കുമെന്നാണ് ഏന്റെ അഭിപ്രായം. സംയുക്തകക്ഷാരുടെ ക്ഷോഭം കാണുമ്പോൾ അദ്ദേഹത്തെ ഉടനെതന്നെ മാറ്റണമെന്ന് എനിക്കു തോന്നുന്നുണ്ട്.

MR. E. JOHN PHILIPPOSE : ഞാൻ പറഞ്ഞതൊന്നും സംയുക്തകക്ഷിയിലെ ഒരു അംഗമെന്ന നിലയിലല്ല, നേരേമറിച്ച് ഒരു പെരേൻ ഏതു നിലയിൽ ഇതിനെപ്പറ്റി ഫീൽചെയ്യുമോ ആ നിലയിൽ ഫീൽചെയ്തു ഈ സഭാംഗം എന്ന നിലയിൽ പറഞ്ഞതാണ്.

MR. T. C. KESAVA PILLAI: എന്റെ ബഡ്ജറ്റ് പ്രസംഗത്തിൽ ഡെപ്യൂട്ടി പ്രസിഡൻറ് ഒരു പാർട്ടിയിലും ചേർന്നിരിക്കുകതന്നെ പാഞ്ഞു. ഡെപ്യൂട്ടി പ്രസിഡൻറിന്റെ പ്രസംഗം കഴിഞ്ഞ ഉടനെയാണ് അന്നത്തെ വാക്കെടു നടന്നത്. ഇങ്ങനെയുള്ള കാര്യങ്ങളെപ്പറ്റി ഗൗരവമായി ആലോചിച്ച് ഡെപ്യൂട്ടി പ്രസിഡൻറിനെ താക്കീതുചെയ്ത മേലാൽ ഒരു വ്യതിയാനമുണ്ടാകാതിരിക്കത്തക്കവിധത്തിൽ പെരുമാറണമെന്നാണ് എന്റെ അഭിപ്രായം.

MR. K. R. NARAYANAN (*Vaikom cum Kottayam*): സർ, മിസ്റ്റർ ശിവരാമൻനായർ അവതരിപ്പിച്ചിട്ടുള്ള നിശ്ചയത്തെ വളരെ ഉൽക്കണ്ഠയോടും കണ്ഠിതത്തോടും കൂടി എതിർക്കുന്നു. തിരുവിതാംകൂറിലെ ജനങ്ങളുടെ തിരഞ്ഞെടുക്കപ്പെട്ട പ്രതിനിധികളായ നാം, ഏതു ജാതക്കാരാകട്ടെ, ഏതു മതക്കാരാകട്ടെ, തിരുവിതാംകൂറിന്റെ ശാശ്വതമായ അഭിവൃദ്ധിക്കും സാമൂഹിക മത്സരങ്ങളെ ഇവിടെനിന്നും നിർമാർജ്ജനം ചെയ്യുന്നതിനുംവേണ്ടി വേല ചെയ്യേണ്ടവരാണെന്നുള്ള ഉത്തമമായ ബോധ്യമുള്ളവരായിരിക്കേണ്ടതുകൊണ്ട് ഈ പ്രമേയത്തെ അവതരിപ്പിച്ച മാന്യനും അതിനെ അനുകൂലിക്കുന്ന മാന്യന്മാരും വളരെ ശാന്തതയോടുകൂടി ഇതിനെപ്പറ്റി ആലോചിക്കണമെന്നു ഞാൻ അഭ്യർത്ഥിക്കുന്നു. തിരുവിതാംകൂറിൽ ഒരു നൂതന രാജ്യചരിത്രം സൃഷ്ടിക്കുന്നതിലേക്കായുള്ള ഒരു ദർഘകാലത്തിൽ ഇന്നു നാം എത്തിയിരിക്കുകയാണ്. ഇത്രയും ചീരികയായി പറഞ്ഞുകൊണ്ട് ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ള വാദമുഖങ്ങളെ ഒന്നു പരിശോധിക്കാം.

ഡെപ്യൂട്ടി പ്രസിഡൻറു നിയമസഭകളെപ്പറ്റി ചെയ്തിട്ടുള്ള ഒരു സംഗതികളും ഇവിടെ നിരൂപണത്തിന് വിഷയമായിട്ടില്ല. നിരൂപണത്തിന് വിഷയമാകാതിരിന്നിട്ടുള്ളത് അതിനതക്കവണ്ണമുള്ള ഒരു സംഭവവും ഉണ്ടാകാതെ തന്നതുകൊണ്ടായിരിക്കണമല്ലോ. ഡെപ്യൂട്ടി പ്രസിഡൻറിനെപ്പറ്റി ഏറ്റവും പ്രധാനമായി ഇവിടെ കൊണ്ടുവരപ്പെട്ട ഒരു സംഗതി ആലപ്പുഴ ഒരു യോഗത്തിൽവെച്ചു മ.സ്റ്റർ. ടി. എം. വരഗീസ് ഉപലക്ഷത്തിന്റെ പേരിൽ മിസ്റ്റർ. സി. കേശവൻ സ്വാഗതംചെയ്ത എന്തെങ്കിലും താണല്ലോ. രണ്ടു മൂന്നു വീക്ഷണകോണുകളിൽകൂടി ഈ അൻപത്തൊന്നുലക്ഷത്തെ ചിന്തിക്കേണ്ടതാണ്. സാധാരണ പ്രാസംഗികന്മാർ സംസാരിക്കുമ്പോൾ അതിന്റെ അക്ഷരാർത്ഥം എടുക്കുന്നതു ശരിയല്ല. ഉപലക്ഷം എന്നുപറഞ്ഞാൽ തിരുവിതാംകൂറിലെ എല്ലാ ജനവിഭാഗങ്ങളെയും ഉൾക്കൊള്ളുന്നതായി വലിച്ചുനീട്ടിയ ഒരു വ്യാഖ്യാനം ഉണ്ടു

കുറയും ശരിയല്ല. പൊതുജനങ്ങളുടെ ഭൂരിപക്ഷം എന്നല്ലാതെ ഈ മെലക്ഷത്തിന് ഒരു പ്രത്യേകാർത്ഥമുണ്ടാകാനും തരമില്ല. ഡെപ്യൂട്ടിപ്രസിഡൻറ് എന്ന നിലയിലാണ് ഈ പ്രസ്താവന ചെയ്യതെങ്കിൽ മിസ്റ്റർ വർഗീസ് അങ്ങിനെതന്നെ പറയുമായിരുന്നു. എന്റെ ബഹുമാന്യ സ്പീക്കർ മിസ്റ്റർ ശിവരാമൻനായർ വായിച്ച ആ പത്രത്തിൽതന്നെ അദ്ദേഹത്തിന്റെ മുഴുവൻ പ്രസംഗവും പരസ്യം ചെയ്തിട്ടുള്ളത് വായിച്ചാൽ ഡെപ്യൂട്ടിപ്രസിഡൻറ് എന്ന നിലയിൽ ഒരു വാചകം പോലും മിസ്റ്റർ. വർഗീസ് പറഞ്ഞിട്ടില്ലെന്നുള്ളത് പകൽപോലെ വ്യക്തമാണ്. പിന്നീട് മെലക്ഷത്തെ എങ്ങിനെ മിസ്റ്റർ വർഗീസ് കൊണ്ടുവന്നു എന്നുകൂടി ചിന്തിക്കേണ്ടതാകുന്നു. ഈ സന്ദർഭത്തിൽ മിസ്റ്റർ. സി. കേശവന്റെ ഒരു പ്രസംഗത്തെ പരാമർശിച്ചുകൊണ്ട് മിസ്റ്റർ. വർഗീസ് പറഞ്ഞത്.

“ജയിൽ ജീവിതത്തിനുശേഷം സ്വാർത്ഥരഹിതമായ പൊതുജനസേവനത്തിനുവേണ്ടിതന്നെയാണ് മിസ്റ്റർ. കേശവൻ വന്നിരിക്കുന്നതെന്നു മിസ്റ്റർ. കേശവന്റെ പ്രസ്താവനകളിൽനിന്നുതന്നെ വെളിപ്പെടുന്നതാണ്” എന്നാണ്. രാജ്യത്തെ എല്ലാ വർഗത്തിന്റെയും അഭിവൃദ്ധിയേയും ക്ഷേമത്തേയും കാംക്ഷിക്കുന്ന മിസ്റ്റർ. വർഗീസ് മെലക്ഷത്തിന്റെ പേരിൽ സ്വാഗതം പറഞ്ഞത്, മെലക്ഷത്തിന്റെ അഭിവൃദ്ധിക്കായി പ്രവൃത്തിച്ച സംരക്ഷിതപരിധിയിൽ സഞ്ചരിക്കുന്ന മിസ്റ്റർ. കേശവനാൽ വിശാലമായ ഒരു മനഃസ്ഥിതി ഉണ്ടാക്കിക്കൊണ്ടുവരണമെന്നുള്ള സദഭ്യേശത്തോടുകൂടി ആയിരിക്കാം എന്ന ഒരു സമാധാനത്തോടുകൂടി അദ്ദേഹത്തെക്കുറിച്ച് നിരൂപണം ചെയ്യാൻ സന്നദ്ധരാകാത്തതിൽ ഞാൻ വളരെ വ്യസനിക്കുന്നു. മിസ്റ്റർ. ടി. എം. വർഗീസിന്റെ പ്രസംഗം കഴിഞ്ഞുള്ള മി: കേശവന്റെ മറുപടിപ്രസംഗത്തിൽ താൻ മെലക്ഷത്തിനുവേണ്ടിയല്ല ഈ രാജ്യത്തെ സകല ജാതിമതസ്ഥന്മാരുടെയും അഭ്യർത്ഥനയനുഭവിക്കാൻ പ്രവൃത്തിക്കുന്നതെന്നു പറഞ്ഞതിൽനിന്നുതന്നെ മി: ടി. എം. വർഗീസ് മെലക്ഷം എന്നു പറഞ്ഞതു, മി: കേശവനു മുമ്പുണ്ടായിരുന്ന മനഃസ്ഥിതി മാറ്റാനാണെന്നു വ്യക്തമാകുന്നുണ്ട്. മി: വർഗീസിന്റെ മേൽ മറൊരു ചാർജ്ജ് ഇവിടെ കൊണ്ടുവന്നുകാണുന്നില്ല. ഇവിടെ കൊണ്ടുവരാത്ത ചാർജ്ജ്കൾക്കു ഞാൻതന്നെ വാദമുഖങ്ങളെ ഉൾക്കൊള്ളിച്ചു ഉത്തരം പറയുന്നതു അഭംഗിയായിരിക്കുമല്ലോ.

ഒരു സംഗതികൂടി ബഹുമാനപ്പെട്ട ഈ സഭയുടെ അറിവുതന്നെ ആലോചനക്കുമായി സമർപ്പിച്ചുകൊള്ളുന്നു. നാം, എത്ര പാർട്ടിയിൽപ്പെട്ട

[Mr. K. R. Narayanan.]

വരാകട്ടെ, അല്ലെങ്കിൽ ഏതു ജാതിയിൽപ്പെട്ടവരാകട്ടെ, മഹാരാജാവു തിരുമനസ്സിലെ രാജഭക്തരായ പ്രജകളാണെന്നും, നാം തമ്മിലുള്ള ഐക്യമാണ് ഈ നിരന്തരസഭയ്ക്കു പുറത്തുള്ള ഐക്യമാണെന്നും, അതായിരിക്കും രാജ്യത്തിന്റെ ഉത്തമതാല്പര്യം നിലനിർത്തുവാനുള്ള മാർഗ്ഗമെന്നും നാം അറിയാം. പല കാരണങ്ങൾകൊണ്ടും പല ആവശ്യങ്ങൾകൊണ്ടും നാംതന്നെ കലഹിക്കേണ്ടിവന്നിരിക്കാം. സമുദായസാഗരത്തിലെ കൊടുംകാളി മാറി ഐക്യചന്ദ്രൻ സാമന്ത്യാലയത്തിലേക്ക് സാമുദായികജലത്തിൽ പ്രതിബിംബിച്ചുതുടങ്ങുമ്പോൾ തെളങ്ങാ എടുത്തറിഞ്ഞു കാളമുണ്ടാക്കിയും, കല്ലെടുത്തറിഞ്ഞു, കല്ലോലമുണ്ടാക്കിയും ആ ചന്ദ്രന്റെ മനോഹര സ്വരൂപത്തെ മനസ്സിലാക്കാനായുള്ള ശ്രമങ്ങൾ വളരെ കഷ്ടമാണ്. അതാലോചനാശൂന്യവുമാണ്.

MR. A. THANU PILLAI (Trivandrum Town): മെമ്പർ ഇത് ദയവു ചെയ്തു എല്ലാ അവസരത്തിലും ഓർമ്മോ?

MR. K. R. NARAYANAN : എല്ലാ അവസരത്തിലും ഇതോർമ്മിക്കുന്നുണ്ട്. ഒരു സന്ദർഭത്തിലും അന്നത്ര വിസ്മരിക്കുന്നതല്ലെന്നും വിസ്മരിച്ചിട്ടില്ലെന്നും രാജഭക്തനായ മി: താണപിള്ളയെ നിഷ്കളങ്കമായിതന്നെ അറിയിച്ചുകൊള്ളുന്നു.

സമുദായമൈത്രിയും രാജ്യത്തിന്റെ ഉത്തമതാല്പര്യങ്ങൾക്കു മേൽപ്പാതെ രാജഭക്തരായ ഒരു വൃക്തിപോലും പ്രവർത്തിക്കുകയില്ലെന്ന് എല്ലാവരും ചിന്തിക്കണം. സംയുക്തപാർട്ടി ചിലപ്പോൾ സംകുചിതമെന്നു പറയുന്ന ചില താല്ക്കാലിക താല്പര്യങ്ങൾ സംരക്ഷിക്കുവാൻ സാമുദായികവാദികളായി സമുദായവാദങ്ങളിൽ ഏർപ്പെട്ടിട്ടുണ്ടെങ്കിലും അവരുടെ വാദങ്ങൾ രാജ്യത്തിന്റെ ഉത്തമതാല്പര്യങ്ങളെ പലർത്തുന്ന യഥാർത്ഥ ദേശീയത്വം വരുത്തുവാൻ മാത്രമാണ് മി: വർഗീസിനെ അനുകൂലിക്കുന്നവരെല്ലാം വിശാലമായ സമുദായമൈത്രിയുടെ പരമത്വസന്ദേശവാഹകന്മാരാണെന്നും, ആ മൈത്രിയെ ഇങ്ങനെയുള്ള നിശ്ചയംകൊണ്ട് ചോദ്യം ചെയ്യുന്നത് ശരിയല്ലെന്നും, അങ്ങിനെ ചോദ്യംചെയ്താൽ കലങ്ങിയ ഒരന്തരക്ഷത്തെ നാം അഭിമുഖീകരിക്കേണ്ടിവരുമെന്നും വിനയപൂർവ്വം എന്നാൽ ഗൗരവത്തിന് കുറവുവരാതെതന്നെ ഞാൻ അറിയിച്ചുകൊള്ളുന്നു.

വാദമുഖങ്ങളെ കാര്യമായി ചിന്തിച്ചു നാം ഇവിടെ പാസ്സാക്കുന്ന നിശ്ചയത്തിന്റെ ഗൗരവം ശരിക്കു മനസ്സിലാക്കി, ഇതു തിരുവിതാംകൂറിലെ സമുദായങ്ങളുടെ ഭാവി ചരിത്രത്തെയും, നിയമസഭയേയും എങ്ങി

നെ സ്പർശിക്കുമെന്നും മേലാൽ വരാൻപോകുന്ന ഡെപ്യൂട്ടി പ്രസിഡൻറിനെ എങ്ങിനെ സ്പർശിക്കുമെന്നും, മനസ്സിലാക്കി യഥാർത്ഥ മൈത്രിയെ ആഗ്രഹിക്കുന്ന ഓരോരുത്തനും ഇതു സാമുദായിക മൈത്രിയെ വരുമാനമെന്നുള്ള വിചാരത്തോടു കൂടി വീക്ഷിക്കേണ്ടതാകുന്നു. രാജഭക്തരായ രാജഭക്തരായ നിങ്ങളോടു ചെയ്യുന്ന ഈ അഭ്യർത്ഥന അതിന്റെ ശരിയായ രൂപത്തിൽ തന്നെ നിങ്ങൾ എടുക്കുമെന്നു വിശ്വസിക്കുന്നു.

MR. JOHN JOSEPH : Sir, I beg to move the following amendment:—
Add the following words at the end of the motion—

"and that he may be removed from office under Section 7 (3) of Regulation II of 1108".

MR. V. K. VELAYUDHAN (*Ambalapuzha cum Shertala*) : On a point of order, Sir, Under Rule 68 an amendment may be admitted only when it is relevant to and within the scope of the motion. The motion before the House is to put on record the opinion of this House that it has no confidence in the Deputy President. The amendment is that he should be removed from office. The amendment and the motion relate to two different matters. Therefore the amendment is quite out of order.

PRESIDENT : You contend that it is quite out of order?

MR. V. K. VELAYUDHAN : Yes, Sir.

PRESIDENT : Order, order. I thought I made it plain in my original ruling that this motion having been given notice of under Section 7 (3), it should be taken that it is a motion having as its object that contemplated in Section 7 (3), namely the removal of the Deputy President as its ultimate result, if the concurrence of Government were obtained and in that light the amendment is not out of order. But it is supererogatory and I therefore stop further discussion of the amendment as such. The honourable member can however make a speech on the motion.

Does the honourable member want to speak on the motion or does he not want to speak on the motion? If he wants to speak on the motion he can speak; if he does not want to speak on the motion, he may sit down.

MR. K. G. KUNJUKRISHNA PILLAI (*Neyyattinkara cum Trivandrum*) : Sir, I did not intend to speak on this motion; but the honourable member, Mr. Narayanan, with a sort of facility, has set in motion a sympathetic chord in me to which I am bound to respond. I entirely agree with every word of what he said with regard to communal harmony. But, Sir, living in Travancore, knowing as we do the conditions here, may I put this very honest, straightforward question to Mr. Narayanan? During the last 3 or 4 years of the unfortunate agitation, has the honourable member and his party spared a single member of the unfortunate community in which I was born whether our intentions were good or bad? Sir, motives were imputed and everything was done to show that even the best of us are devils incarnate in

[Mr. K. G. Kunjukrishna Pillai.]

this land. If there should be communal harmony, I believe there should be rapprochement on both sides, and not insistence by one party and obedience by the other. Therefore, Sir, while agreeing with every one of the sentiments expressed by Mr. K. R. Narayanan, I must say that communal harmony will not come by abusing, by brow beating us.

PRESIDENT: Observations in regard to future conduct are not relevant to this discussion.

MR. K. G. KUNJUKRISHNA PILLAI: I bow to the ruling. Sir, in Travancore, legislative reforms are the gift of the Sovereign. We did not fight for them; we had not to go to jail for them. We had simply to sit in our easy chairs and pray for them. Our Gracious Sovereign, a Sovereign the like of whom may not be found anywhere else, one who is living really for the welfare of his subjects, has been pleased to grant us certain rights and privileges.

PRESIDENT: Gratifying as they must be to every one of us, these remarks are not relevant to the present discussion. (*Laughter.*)

MR. K. G. KUNJUKRISHNA PILLAI: With great respect, Sir, the next few words will show the relevancy of my observations.

When, therefore, a gift like that is given by the Sovereign to his subjects, it is incumbent upon every one elected or nominated to this House to keep up the prestige and dignity of this House, irrespective of party considerations. Therefore, Sir, I say that this House should take the warning from Mr. K. R. Narayanan. He said that this House must zealously guard its privileges and build them up on democratic lines. Sir, that is what we must do. But what is it? It is nothing more nor less than the establishing of precedent after precedent. The first and most important precedent is that this House shall keep up its prestige and dignity irrespective of communal or party considerations. Therefore, if there is sufficient material before us to show that the dignity and prestige of the House has been violated, intentionally or otherwise, it is open to us, nay, we shall be failing in our duty if we do not do it, to vindicate our prestige without fear or favour, irrespective of party or communal considerations. If the Deputy President has, at any time, at any place, claimed to represent the 51 lakhs of people of this country, knowing that such claim would be repudiated by at least a small section of the people, he has certainly exceeded his rights and violated the dignity and prestige of this House. It cannot be denied that, all along, till this House elected him as Deputy President, he had been claiming to represent only 40 lakhs of people. Now, he has claimed to represent the 51 lakhs of people which form the entire population of the state. Therefore, the only possible conclusion, the irresistible conclusion is that, because he happens to be the elected Deputy President of this House which is composed of the representatives of the 51 lakhs of people of this State, because the elected representatives of the 51 lakhs of people have elected him as Deputy President, he thought he could, in whatever he does, represent the 51 lakhs of people of this State. That is certainly, a breach of the privileges of

this House. He must certainly have known that there is at least one small section of the public which would repudiate the claim. Knowing that he did make the statement that he represented the 51 lakhs of people in this State. That was undoubtedly because he had been placed in the privileged position of Deputy President by our vote. No other interpretation is possible. Therefore, without canvassing the merits of Mr. Kesavan's case and his self-sacrifices on which there may be differences of opinion.....

PRESIDENT : Honourable member will not be allowed to do so even if he wants to do so.

MR. K. G. KUNJUKRISHNA PILLAI : That is one of the reasons why he does not want to do so, Sir.

Further, Sir, after he made that statement at Alleppey, protests were made that he did not and could not represent the 51 lakhs of people of this State at such a function. And, he had an opportunity to explain his position. But, Sir, when he got another opportunity, at Quilon, he repeated the statement. That shows clearly that the statements were made because he was the Deputy President of this Assembly. I definitely say, Sir, that that is a violation of the privileges of this House. He had no business to say that he represented the 51 lakhs of people. He ought to have said, "As T. M. Varghese, I welcome....." If the fact that he made the statement stands, there is no doubt whatsoever that the prestige and privileges of this House have been violated. It is parliamentary practice everywhere that the speaker should be above all parties, above party politics.

MR. E. JOHN PHILIPPOSE : Does the member think that the position of the Deputy President here is akin to that of the Speaker in the House of Commons?

MR. K. G. KUNJUKRISHNA PILLAI : I do think so, and I do hope that we will build up a convention like that.

MR. E. JOHN PHILIPPOSE : Does the member realise that, in the House of Commons, there are Deputy Speakers also who take active part in party politics and vote for their parties?

MR. K. G. KUNJUKRISHNA PILLAI : The analogy between the Deputy Speakers of the House of Commons and our Deputy President is not correct, except that the word "Deputy" occurs in both places. I shall explain. The Parliament elects its Speaker. The presiding authority that we are empowered to elect is the Deputy President. Our President is not merely the President of the Legislature, he has other functions. So far as our rights are concerned, our Deputy President is to us as the Speaker is to the Members of Parliament. We have invested him with the insignia of being the first citizen of the land. In the absence of and till we get the right to elect our President, convention is and should be that the Deputy President should satisfy our ideals of the presiding authority. Hence the analogy with the Speaker of the House of Commons. Therefore, Sir, it is not a small matter that has been raised. It is a very grave issue, a big question of paramount importance.

[Mr. K. G. Kunjukrishna Pillai.]

Sir, Mr. Narayanan was warning us of the future consequences of the present motion being carried by us, of the Deputy President being deprived of the right to take part in party politics. He said that that would lead to greater cleavages between one section of this House and another. If that be so, Sir, we cannot carry on the business of the House, we cannot do anything. Therefore, Sir, irrespective of all consequences that may follow, if it is necessary for keeping the dignity and prestige of this House, that this motion should be carried, I would invite the honourable members including Mr. Narayanan to vote for the motion irrespective of the personality involved.

Sir, it may be by mistake that our Deputy President made the statement. But nobody has apologised so far. Not a word by way of expression of regret is forthcoming. As I said, Sir, a gift has been granted to us, without any fighting on our part, by our Sovereign, and it is up to us to build it up by establishing precedent after precedent. The first and the best precedent anyone can think of is that the Deputy President should be above all parties, above all controversies, should uphold the dignity and prestige of this House as the first citizen of the land.

MR. E. JOHN PHILIPPOSE : Does the member think the convention here is that the Deputy President should be above all parties? Was not the first elected Deputy President, Mr. T. K. Velu Pillai, an active partisan in controversial politics?

MR. K. G. KUNJUKRISHNA PILLAI : Sir, I was not in this House during the time of the former Deputy President. Personally, I do not know how he was behaving. If he was taking part in party politics that ought to have been repudiated then; and I blame that House for not having done so. I am very clear on the point that at least we should see that our Deputy President is invested with the same privileges and position as the Speaker of the House of Commons and is above all parties, is a person in whom all our rights and privileges shall be safely vested. Therefore, Sir, if the Deputy President takes part in party politics, he ceases to be that symbol of democracy that we want him to be, and ceases to command the respect, reverence and confidence of all the parties and sections of the House. If the fact is true that he said and repeated in spite of public protests that he was speaking on behalf of the 51 lakhs of people in the country, it was a false claim

MR. P. KUNJUKRISHNAN : Did he then speak as the Deputy President of this House?

MR. K. G. KUNJUKRISHNA PILLAI : He could not have spoken as anything else as I have already shown when he said he was speaking on behalf of the 51 lakhs of people; because, before he was elected as Deputy President, he was saying that he was speaking on behalf of only 40 lakhs of people; he has never before spoken on behalf of 51 lakhs. The inference is clear as light.

MR. K. KESAVAN (*Karunagapalli cum Kartigapalli*): ഈ പ്രസംഗം ചെയ്ത അധ്യക്ഷത്തിൽ തിരുവിതാംകൂറിലെ ജനസംഖ്യ എന്തായിരിക്കണമെന്നറിയാമോ ?

MR. K. G. KUNJUKRISHNA PILLAI: I refer the Member to the Census Report. But I can assert that when our Deputy President spoke of the 51 lakhs, he referred to the entire population of the land whatever be the actual number; by any mode of calculation, 51 lakhs cannot be said to represent the strength of the Joint Political Congress.

He claimed to be representing the whole land. I repeat the contention that he had no business to do that.

MR. E. JOHN PHILIPSE: Cannot any member of the public represent the whole public?

MR. K. G. KUNJUKRISHNA PILLAI: If such a claim is made without basis, it can only come from an inmate of the lunatic asylum. That is my personal opinion.

I am as earnest and sincere as anyone else in wishing for communal harmony. But, Sir, the rights, privileges and dignity of the House, it is incumbent upon the Deputy President to keep up at all costs, irrespective of all considerations. I say that by his speech the Deputy President has caused a great breach of the privileges and dignity of the House and that therefore he must be censured by the House.

MR. P. KUNJUKRISHNAN: May I know from the honourable member whether Mr. T. M. Varghese spoke as Deputy President of the Assembly?

MR. K. G. KUNJUKRISHNA PILLAI: Sir, if he did not use the words "as Deputy President", it may be because of an over-sight or it may be because he thought a question may be raised on it. The effect is that. That is how we understand it. That is how a large section of the public understands it. It is impossible to understand it in any other light. With these words, Sir, I commend the motion for the consideration of the honourable members of this House.

MR. A. THANU PILLAI: May I know whether Government have an attitude regarding this matter? I refer to this at this stage because even the last speaker Mr. K. G. Kunjukrishna Pillai could only express a qualified opinion. He said "if the facts are as they are alleged to be, if the statement was really made, the Deputy President's conduct is unsupportable." I wish to know at this stage whether Government can enlighten the House more authoritatively than the other members whether the facts alleged are true and what is the attitude they take in this matter. For I take it that this is a matter affecting the Government members no less than the non-official members of this House.

PRESIDENT: Order, order. I do not think that at this stage the attitude of Government or the Government members can be elucidated. Government and Government members will when the occasion arises

[President.]

and if the occasion arises make their attitude clear. But the debate has so far proceeded on the basis that in two issues of a particular newspaper the Deputy President is alleged and stated to have made use of certain expressions and so far as I can see there has been no canvassing of that report. It is in the course of the debate that it may be or it may not be found out whether these expressions were used, whether they were used in that particular connotation or in that significance or if some other expression was used. All this will be known only during the course of the debate. At this stage therefore it is premature to say what the attitude of Government and Government members is. Now only certain allegations have been made and no statement contra has been made yet.

MR. M. SIVATHANU PILLAI: May I suggest, Sir, that the Deputy President may be invited to speak?

PRESIDENT: I do not think that any honourable member is entitled to ask another honourable member to speak.

DEPUTY PRESIDENT: Sir, I wish to make a suggestion. Before I am given permission to speak, I would like to know what exactly are the charges that the honourable the mover of the motion and other honourable members who may speak in support of the motion may have to level against me so that I may get the chance of answering all those charges collectively rather than attempting to answer them piecemeal. If the sense of the House is that I may be given that chance with a view to enable me to answer all the charges—not that any member should be deprived of his right to speak thereafter—if you, Sir, would make it convenient for me to answer the charges after knowing what those charges are, not only the charges that came from the honourable the mover of the motion but also the charges that may come from the other members of the House, who would care to speak on the matter, then it will considerably conduce to my convenience. If such an arrangement is not feasible or possible I would like to get a chance of speaking now.

PRESIDENT: I think the honourable the Deputy President is not only quite within his rights but has placed very fair proposals before the House. He is entitled, before he is called upon or he chooses to speak, to know exactly what people have got to say in regard to the matter. Therefore, in the exercise of my jurisdiction as occupying this position I shall call upon him last. Therefore the honourable the Deputy President need be under no apprehension that he may not be enabled to have all the materials which are referred or are going to be referred as against him being placed before him and that he may not be given full opportunity. If further opportunity is demanded and he wants more time, I am sure that the House will only be too anxious to give him as much time as he requires.

MR. K. KESAVAN : ബഹുമാനപ്പെട്ട മെമ്പർ മി ശിവരാമൻ നായർ അവതരിപ്പിച്ച മോഷനെ ഞാൻ വളരെ ഹൃദയവേദനയോടുകൂടിയാണ് വീക്ഷിക്കുന്നത്. ഇപ്രകാരം ഒരു മോഷൻ ഈ അസംബളിയിൽ അവതരിപ്പിക്കുന്നതിലേക്ക് അദ്ദേഹത്തെ പ്രേരിപ്പിച്ച മനോവികാരം എന്തുതന്നെയായിരുന്നാലും അദ്ദേഹം ഈ അസംബളിയുടെ നിലയേയും ഗൗരവത്തേയും ഈ നാട്ടിന്റെ നന്മയേയും ശരിയായി പരിഗണിച്ചിട്ടുണ്ടോ എന്നുള്ള സംഗതി ഞാൻ വളരെ സംശയിക്കുന്നു. അദ്ദേഹം അദ്ദേഹത്തിന്റെ പ്രസംഗത്തിൽ ഡിപ്യൂട്ടി പ്രസിഡൻറിനെതിരായി കൊണ്ടുവന്ന ചാർജുകളിൽ എന്തെങ്കിലും കാര്യമായി ഉണ്ടോ എന്ന് എനിക്കു തോന്നുന്നില്ല. ഡിപ്യൂട്ടി പ്രസിഡൻറ്, ഡിപ്യൂട്ടി പ്രസിഡൻറ് എന്ന നിലയിൽ ആലപ്പുഴയിലും കൊല്ലത്തുവെച്ചു പ്രസംഗിച്ചിട്ടുള്ളതായി പത്രറിപ്പോർട്ടുകളിൽ കാണുന്നില്ല. മലപ്പുറം ജനങ്ങൾക്കുവേണ്ടി മി. ടി. എം. വർഗ്ഗീസ് മി. സി. കേശവനെ സ്വാഗതം ചെയ്തതായി കാണുന്നുണ്ട്. മി. സി. കേശവൻ രാജദ്രോഹക്കുറ്റത്തിനായി ജയിൽവാസം അനുഭവിച്ചുവന്നാണെന്ന് എനിക്കറിയാം. മഹാരാജാവു തിരുമനസ്സിലെ പ്രത്യേകകാരണങ്ങളാൽ അദ്ദേഹത്തിന്റെ ശിക്ഷയുടെ കാലാവധി കഴിയുന്നതിനുമുമ്പ് അദ്ദേഹത്തെ ജയിലിൽനിന്നു വിമുക്തനാക്കി. മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു ഇപ്രകാരം ചെയ്യണമെങ്കിൽ മി. സി. കേശവൻ യഥാർത്ഥത്തിൽ രാജദ്രോഹിയായിരുന്നുവോ എന്നുള്ള കാര്യവും സംശയാധീനമാണ്.

MR. K. G. KUNJUKRISHNA PILLAI : Does the question of Mr. Kesavan's guilt or otherwise arise here, Sir?

PRESIDENT : No. The honourable member will proceed.

MR. K. KESAVAN : മി. സി. കേശവൻ രാജദ്രോഹക്കുറ്റത്തിനു ബഹുമാനപ്പെട്ട ഫൈക്കോടതിയിൽനിന്നും ശിക്ഷിക്കപ്പെട്ടവനാണെന്ന് എനിക്കറിയാം. ഞാൻ അതിനെപ്പറ്റി യാതൊന്നും പറയുന്നില്ല. പക്ഷെ ഞാൻ ഇവിടെ പറഞ്ഞതു അതല്ല. മി. സി. കേശവനെ ജയിലിൽ നിന്നും മഹാരാജാവു തിരുമനസ്സിലെ കാരണങ്ങളാൽ വിമുക്തനാക്കിയിരിക്കുന്നു എന്നു കാണുമ്പോൾ

PRESIDENT : The remark is irrelevant, because his sentence was remitted and no pardon was given.

MR. K. KESAVAN : എന്തായാലും ശരി, മഹാരാജാവു തിരുമനസ്സിലെ കാരണത്തിനുപാത്രീകൃതനായ ഒരുവനാണ് മി. കേശവൻ എന്ന് എനിക്കും തിരുമനസ്സിലെ എല്ലാ പ്രജകൾക്കും ഒരുപോലെ അറിയാൻ കഴിഞ്ഞിട്ടുണ്ട്. മി. കേശവനെ സ്നേഹിക്കുകയും ബഹുമാനിക്കുകയും വിശ്വസിക്കുകയും

[Mr. V. Kesavan.]

കയ്യൊഴിയുന്ന ഒരു വലിയ സംഘം ആളുകൾ ഈ നാട്ടിലുണ്ട്. അതിനെ ആക്കം അപലപിക്കുവാൻ സാധിക്കുന്നതും അല്ല. മി. സി. കേശവൻ ജയിൽവാസം കഴിഞ്ഞു വെളിക്കുവന്നപ്പോൾ അദ്ദേഹത്തിൽ സ്നേഹവും വിശ്വാസവും ഉള്ള ആളുകൾ അദ്ദേഹത്തെ സ്വീകരിച്ചു. അത് ഒരു നൂതനനടപടിയും മറ്റും ഒന്നുമല്ല. രാജാദ്രോഹക്കുറ്റത്തിന് ശിക്ഷ അനുഭവിച്ചിട്ടുള്ള പലരെയും പല സ്ഥലങ്ങളിലും ആത്മാഭിപ്രായം സ്വീകരിച്ചിട്ടുണ്ട്. അങ്ങനെയുള്ളവരെ, പിന്നീട് അവർ ശിക്ഷ അനുഭവിച്ചു എന്നുള്ള കാരണത്താൽ ആരംഭിക്കുന്ന വെറുക്കുന്നമില്ല. പരിതസ്ഥിതികൾ ഇപ്രകാരമിരിക്കെ മി. സി. കേശവനെ സ്വീകരിച്ച സഭയിൽവെച്ച് മി. ടി. എം. വർഗ്ഗീസ്, അദ്ദേഹത്തിന്റെ വ്യക്തിപരമായ നിലയിൽ മി. സി. കേശവനെ സ്വാഗതം ചെയ്തിട്ടുണ്ടെങ്കിൽ ആയത് ഈ സഭയുടെ ഡിപ്യൂട്ടി പ്രസിഡൻറു എന്നുള്ള നിലയിൽ ആണെന്ന് ഉൾക്കൊള്ളുന്നതിന് യാതൊരു കാരണവും കാണുന്നില്ല. തിരുവിതാംകൂറിൽ എൻ.എം. ലെ സെൻസസ് അനുസരിച്ചു ൫൧൨൫ ജനങ്ങൾ ഉള്ളതുകൊണ്ട് ഈ രാജ്യത്തുള്ള എല്ലാ ജനങ്ങൾക്കുവേണ്ടി മി. ടി. എം. വർഗ്ഗീസ് സ്വാഗതം ചെയ്യുന്നു എന്നു വിചാരിക്കേണ്ട രോവശ്യവും ഇല്ല. മി. സി. കേശവനോടു അനുഭാവമുള്ളവരും സ്നേഹമുള്ളവരും ആയ ഒരു വലിയ സംഘം ആളുകളുടെ പേരിൽ ആയിരിക്കാം, മി. ടി. എം. വർഗ്ഗീസ്, മി. സി. കേശവനെ സ്വാഗതം ചെയ്തത്. ഒരു പക്ഷെ തിരുവിതാംകൂറിലെ ജനങ്ങൾക്കുവേണ്ടിയല്ല, ഇൻഡ്യയിലെ ന. കോടി അല്ലെങ്കിൽ, ലോകത്തുള്ള എല്ലാക്കോടി ജനങ്ങൾക്കുവേണ്ടി, രൊൾ മറ്റൊരാളിനെ സ്വാഗതം ചെയ്താൽ അങ്ങനെയുള്ള രോളിനെ അപലപിക്കുന്നതിന് വല്ല കാരണവും ഉണ്ടോ എന്നു എനിക്കറിഞ്ഞുകൂടാ. മഹാത്മാഗാന്ധിയെ ഒരു വലിയ മഹാനായി ചിലർ പ്രഖ്യാപനം ചെയ്യുന്നു. അതേ അവസരത്തിൽ ബ്രിട്ടീഷ് ഇൻഡ്യയിൽ മുസ്ലീങ്ങളുടെ ഒരു വിഭാഗം അദ്ദേഹത്തെ അവരുടെ നേതാവായി പരിഗണിക്കുന്നില്ല. അതുകൊണ്ട് അദ്ദേഹം എല്ലാ ജനങ്ങളേയും പ്രതിനിധീകരിക്കുന്നു എന്നു പറയുന്നവർ കുറയ്ക്കുകയായിത്തീരുന്നവോ എന്നാണു ഞാൻ ചോദിക്കുന്നത്. ഇപ്രകാരം ഒരു മോഷൻ ഈ സഭയുടെ പരിഗണനക്ക് വിഷയീഭവിക്കേണ്ടിവന്നതിൽ നിന്നും ഈ നാട്ടിൽ ചില അന്തർവാഹിനികൾ ഉണ്ടെന്നുള്ള എന്റെ വിശ്വാസം പ്രബലപ്പെടുകയാണു ചെയ്യുന്നത്.

PRESIDENT: Order, order. The House will now adjourn and meet again at 2 o' clock.

The House rose for lunch at 1 o' clock and reassembled at 2 o' clock.

MR. K. KESAVAN : സർ, ഈ നാട്ടിൽ നിവസിക്കുന്ന വിവിധജാതിക്കാരായ ജനങ്ങളെല്ലാം ഏകോപിച്ചു രാജ്യക്ഷേമത്തിനുവേണ്ടി പ്രവർത്തിച്ചു കാണണം എന്ന് ആഗ്രഹിക്കുന്ന ഒരുവനാണ് ഞാൻ. മി. ടി. എം. വരഗീസ് ആലപ്പുഴയിലും കൊല്ലത്തുവെച്ചുപെയ്ത പ്രസാഗങ്ങളിൽനിന്നും ഞാൻ മനസിലാക്കിയിട്ടുള്ളത് ഈ ആദർശത്തോടുകൂടിയതന്നെ അദ്ദേഹവും പ്രസംഗിച്ചു എന്നാണ്. കൊല്ലത്തും ആലപ്പുഴയിലും നടന്ന സഭകളിൽ ഞാനും ഹാജരായിരുന്നു രണ്ടു സ്ഥലങ്ങളിലും പ്ലാറ്റർമാർത്തിൽ തന്നെയായിരുന്നു ഞാനും ഇരുന്നിരുന്നത്. എന്റെ ഓർമ്മ ശരിയാണെങ്കിൽ, മി. ടി. എം. വരഗീസ്, മി. സി. കേശവൻ, ഈ നാട്ടിന്റെ പൊതുനന്മക്കും ഈ നാട്ടിൽ നിവസിക്കുന്ന എല്ലാ ജനങ്ങളുടെ ശ്രേയസിനുമേണ്ടി കഴിഞ്ഞകാര്യങ്ങളെല്ലാം മറന്നിട്ട്, പ്രവർത്തിക്കണമെന്ന് ആഹ്വാനം ചെയ്തിട്ടുള്ളതായിട്ടാണ് ഞാൻ ഓർമ്മിക്കുന്നത്. മി. ടി. എം. വരഗീസിന്റെ ഉദ്ദേശ്യവും ഇതുതന്നെയായിരുന്നു എന്ന് റിപ്പോർട്ടുകൾ മുഴുവൻ വായിക്കുന്ന ആർക്കും മനസിലാക്കാൻ കഴിയും എന്നാണ് എന്റെ വിശ്വാസം. മി. ടി. എം. വരഗീസിന്റെ ഉദ്ദേശ്യം ഇതുതന്നെയായിരുന്നു എന്ന് മി. സി. കേശവന്റെ മറുപടിപ്രസംഗം വായിച്ചുനോക്കിയിരുന്നാലും മനസിലാക്കാവുന്നതാണ്. പരിതസ്ഥിതികൾ ഇപ്രകാരമിരിക്കെ—യാഥാർത്ഥ്യം ഇപ്രകാരം ഇരിക്കെ—ഇപ്രകാരമുള്ള ഒരു മോഷൻ ഈ സഭയുടെ പരിഗണനയ്ക്കായി വന്നതിൽ ഏനിക്ക് അതിശയവും ഖേദവും തോന്നുന്നുണ്ട്. എന്തായാലും ഈ മോഷൻ ഈ സഭയുടെ ആലോചനയ്ക്കു വിഷയമായി. ബഹുമാനപ്പെട്ട മെമ്പർമാർ ഈ സംഗതിയുടെ സത്യം എന്തെന്നുള്ളതിനെപ്പറ്റി അവധാനപൂർവ്വം ചിന്തിച്ച ഒരു തീരുമാനം കല്പിക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി ഈ മോഷനെ ഞാൻ എതിർക്കുന്നു.

MR KAINIKKARA M. PADMANABHA PILLAI (*Changanacherri cum Peermade*) : Sir, I rise to support the motion before the House. I do so fully conscious of its very serious implications and repercussions both at present and in future. By this statement, let me not be misunderstood as referring to the implied threat contained in the mellifluous invocations of Mr. K. R. Narayanan. He has told us that if the motion is pressed and carried, it would lead to unpleasant consequences. Sir, unpleasant consequences are equally unpleasant to every body.

MR. K. R. NARAYANAN : ഞാൻ അങ്ങനെ പറഞ്ഞില്ല.

MR. KAINIKKARA M. PADMANABHA PILLAI: I thank the member. By the seriousness of its implications, I simply meant the constitutional seriousness. Ever since I saw the resolution of Mr. Sivarama Pillai published in the papers, my mind has been weighed down by the conflict between the extreme gravity of it on the one side and the equally extreme necessity of it on the other. It is therefore in no light mood that I view the question. I rather confess that I do so with an intense feeling of pain.

To me the Deputy President of the Sri Mulam Assembly is the glorious symbol of a grand idea and a grand ideal. He embodies at once the gracious gift of our beloved Maharaja and the proud privilege of an advanced people. In him the abstract Assembly, as it were, finds concrete concentration. He represents the Ruler by representing the duties and responsibilities of the House and he represents the people by representing its rights and privileges. Into him devolves part of the divine King and in him rests the equally divine Man. He is the emblem of the sacred and the affectionate union between the Ruler and the ruled. More than that, he is the epitome of the political and constitutional evolution of the human race. His position is exalted. It is unique. He is above parties. He is above communities. He is above conflicts of all kinds. He is above prejudices, likes and dislikes. He is above temptations and emotions. He is just, impartial, immutable.

If such has been my temple and my idol, what do I find before me? The present Deputy President was elected to the office only during the last session of the Assembly. Just four months have passed. But even within this short period he has demolished my temple and broken my idol.

As soon as he became the Deputy President I was told that he resigned his membership of the political party to which he belonged. But even during the last session, there were several occasions when by his speeches and actions, I was led to suspect that there was no sincerity behind his resignation. But I hoped that in due time he would become sufficiently acquainted with the new universe in which he had just begun to move and would begin to perceive the incongruity implied in his behaviour. But subsequent conduct has shown that his blunders at that time were but a gentle prelude to the outrageous political absurdities that were in store for the future. For the last several weeks he has been one of the triumvirs of what I should call a lunatic Duncium.

PRESIDENT: Order, order. Hononrable members, having regard to the seriousness of the debate, would be mindful of their adjectives and their substantives.

MR. KAINIKKARA M. PADMANABHA PILLAI: I beg your pardon. A mysterious organisation which is everywhere and yet nowhere, which is doing everything and yet nothing, which represents everybody and yet nobody, has been organising a series of demonstrations. Disloyalty and communal discord have been preached from housetops. A war has been proclaimed. An uncrowned king has been obtained at a

cheap cost. And I am told that our Deputy President, who is said to be too busy even to attend the deliberations of all the Select Committees, makes it a point not to miss even one of the demonstrations and that he has taken active part in many of them. This, Sir, is a very clear proof that he has openly and audaciously identified himself with one political party and that obviously a disloyal and mischievous party.

MR. E. JOHN PHILIPOSE : As a member of that party, I protest against any honourable member of the House saying that any member of that party is disloyal. I emphatically repudiate that.

PRESIDENT : These questions, I feel sure, need not and ought not to be imported into a discussion of this resolution. They take us far afield and excepting for engendering heat they are not necessary.

MR. KAINIKKARA M. PADMANABHA PILLAI : Even this is not the worst aspect of it, Sir. We, the people of Travancore, are loyal (*Mr. E. J. Philipose ; "hear, hear"*) ; intensely loyal (*Mr. E. J. Philipose : "hear hear"*) : we are loyal by instinct and tradition (*Mr. E. J. Philipose : "hear, hear"*). And to us a person who has been guilty of disloyalty is the most despicable object and is worse than filth. But we are doomed to find that it is the elected Deputy President of this Assembly that welcomes, garlands, congratulates and takes in procession an ex-convict for sedition.

MR. E. JOHN PHILIPOSE : On a point of order, Sir. I think once before you mentioned that that point is not in question.

PRESIDENT : I made it clear once, and I wish to make it clear once again, that on this occasion the question of the general conduct of the Deputy President or his political opinions or political behaviour does not arise. What does arise is his utterance and action *vis-a-vis* the representative of 51 lakhs of people or of this House and the construction to be placed on his utterances in regard to such and allied matters.

MR. KAINIKKARA M. PADMANABHA PILLAI : Sir, before I was permitted to give my next sentence, I was interrupted. Otherwise this interruption would have been unnecessary. What I was about to say was that the Deputy President was doing this openly and avowedly as the Deputy President, as the representative of the 51 lakhs of people. Sir, many great attempts have been made to belittle the importance of the statement that he represented the 51 lakhs of people. To me, Sir, it is not a fact that can be belittled. As a member representing one constituency only I feel it a great responsibility and privilege. When a person says that he represents all the 51 lakhs of people of Travancore, from the new-born babe to the grandma on the death-bed, that is a statement of very great significance. It must have some definite meaning. If the Deputy President says that he represents the 51 lakhs of people it can only be because he is elected by the representatives of the 51 lakhs of people, because he is the Deputy President. One of the speakers on the opposite side said that it might have been only a careless utterance. I grant that it might possibly

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have been a mere platform exaggeration. If the matter had ended there this explanation would have been alright. But then, that statement caused a flutter. It aroused very wide criticism and it was pointed out that the statement was made in the capacity of the Deputy President. If then the same statement was repeated by the gentleman on a second occasion, we cannot ignore that as a careless slip. To make the context clear I shall quote another sentence from the report of the second meeting. An honourable member of this House, Mr. P. K. Kunju, was a speaker in that meeting.

PRESIDENT: Will the honourable member please give the date of the paper?

MR. KAINIKKARA M. PADMANABHA PILLAI: It is the Malayala Manorama of the 26th Kanni.

MR. E. JOHN PHILIPSE: May I ask the honourable member whether he thought it worth his while to verify the statement, or to ask the Deputy President personally and ascertain from him, whether he did make the statement?

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, if it was my duty to verify it, it was all the more the duty of the Deputy President to have disowned it.

Mr. P. K. Kunju spoke as follows:—

MR. E. JOHN PHILIPSE: Are the observations made by Mr. Kunju relevant to the present discussion, Sir?

PRESIDENT: By themselves, not; but if the argument is going to be that, in continuation of that speech, something relevant to the present motion, was said, then it may become relevant. As an experienced public man, I suppose the honourable member will realise the limitations of relevancy, and the extent to which he can refer to other speeches.

MR. KAINIKKARA M. PADMANABHA PILLAI: Sir, I want to read only one sentence and it is this:—

“തിരുവിതാംകൂർ നിയമസഭാ സമ്മേളനത്തിൽ മി. ടി. എം. വർഗ്ഗീസ് ജനപങ്കുവെച്ചതായ മി. ടി. എം. വർഗ്ഗീസ് ആപ്തവാക്യം മറ്റു ലക്ഷണങ്ങൾ പേരിൽ മി. കേശവൻ സ്വാഗതം ചെയ്ത അദ്ധ്യക്ഷതയിലായിരുന്നു.”

Sir, Mr. Varughese was definitely reminded by Mr. Kunju, of the discontent roused in the public on account of the statement made at Alleppey. His attention was particularly drawn to the popular interpretation of the matter. Even if he had forgotten all about it he was specifically reminded of it during the course of the meeting itself. In spite of that Mr. Varughese instead of disowning, withdrawing or even correcting the statement, once again boldly repeated the same words, showing clearly that he had deliberately made the statement at Alleppey. Evidently he did not consider it to be in any manner wrong. Nor did he consider the popular interpretation wrong. He said:—

“തിരുവിതാംകൂറിലെ മറ്റു ലക്ഷണങ്ങൾക്കുവേണ്ടി മി. കേശവൻ അദ്ധ്യക്ഷതയിൽ എത്തിയ അദ്ധ്യക്ഷതയിൽ ഇങ്ങനെയൊരു പരാമർശം വന്നു.”

Even today I boldly affirm that there is absolutely no impropriety in congratulating Mr. Kesavan in the name of the 51 lakhs of people.

Sir, if this also should be called a mere platform exaggeration, I do not know what statement we can really consider as conveying the idea of the speaker.

Sir, I have absolutely no objection to Mr. T. M. Varughese having any kind of political views. I have nothing to say against his welcoming Mr. C. Kesavan. Only, let him not do these as the Deputy President of this House. I can say definitely that I do not want him to do any of these as my representative. I emphatically protest against his statement that he represents the 51 lakhs of people. I am quite sure, Sir, that the number is less by at least one. There is at least one that he does not represent and I am he. He does not represent me. If he would examine his own mind, he would realise that he really represents only a handful of misguided mischief-makers.

PRESIDENT : Honourable member will confine his remarks to the motion and not refer to wider political issues.

MR. KAINIKKARA M. PADMANABHA PILLAI : Sir, leaving complete freedom of action to Mr. Varughese, in his personal capacity,—I fully understand that he has multifarious functions, he has his religion, his community, his family and his duties to them all—giving, therefore complete personal freedom to Mr. Varughese, I must point out that, as the head of this Assembly, as the one political figure that is to be left untouched, unquestioned and uncriticised by all sections of this House, he is bound to be above parties. But by a series of overt acts of a deliberate and defiant nature he has got himself unmistakably mixed up in controversial politics and done so in his capacity as the Deputy President. He has forfeited our confidence and we have to throw him off. Hence this motion which I commend for the acceptance of the house. In the name of the historic loyalty of Travancore which he has violated, in the name of the 51 lakhs of His Highness' subjects whose name he has unwarrantedly drawn into the dirt, in the name of the gracious gift of our beloved Maharaja which he has abused, in the name of the rights and privileges of this House which he has sullied, in the name of all the accepted canons of parliamentary morality which he has prostituted, I commend this resolution for the acceptance of this House.

MR. JOHN WHITELEY TOLSON : It is with extreme regret that I join in this debate. The question is one of parliamentary rights and privileges. The Deputy President sits over this House, and we all expect that there will be no favour shown to anybody. But, Sir, as a member of this House, I want the issue to be made perfectly clear. Did Mr. T. M. Varughese actually say that he was speaking on behalf of the 51 lakhs? Did he, if he said so, do it as Deputy President? It is natural, Sir, that, at the heat of the moment, we sometimes say things which we ought not to say; and such statements can be excused. But, the actual position in the present case has not been made free from doubt yet. I would therefore request that the position should be made absolutely clear before we are asked to vote upon the motion.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, the main questions in this debate are only a few. As a matter of fact, they are only 3, as far as I can see.

The first is, as Mr. Tolson raised it, whether Mr. Varughese, our Deputy President, welcomed Mr. Kesavan, an ex-convict for sedition, on his release from jail, in the name and on behalf of the 51 lakhs of people. The second is whether, if he did say that he welcomed Mr. Kesavan on behalf of the 51 lakhs of people, he meant what everybody ordinarily understands by it. The third is whether, if he said it, he did so consciously, and if so, whether it was based on his consciousness that he was the Deputy President.

Sir, these questions can be decided only after deliberate and mature consideration. In so doing, in the first place, I rely upon the statement placed before the House. In matters of this kind, a too literal interpretation of words used would not serve the purpose. The implications of the words used cannot be gathered merely from the words themselves. The circumstances under which they were uttered, have to be taken into account in interpreting the words used. It is therefore absolutely necessary to clarify the position before coming to a conclusion. If, as alleged by the mover, Mr. Varughese, our Deputy President, welcomed Mr. Kesavan on behalf of the 51 lakhs of people, if, considering the implications contained in his statement he did so in his capacity as Deputy President of this Assembly, the question arises whether, after all, it is only a small mistake which we ought to condone, or whether this House ought to exercise its privilege by severely dealing with the matter.

In regard to the first point, whether Mr. Varughese did make the statement, we have to rely on the reports of his speech published by the press. Sir, ours is a well conducted press; and immediately after Mr. Kesavan was released from jail, the press in Travancore was particularly alert. And, it is no exaggeration to say that the Manorama is one of our best conducted dailies, and has always been having efficient reporters on its staff; and the Manorama has always been advocating the cause of the party that had assembled to welcome Mr. Kesavan. That was also the final meeting got up for the purpose. Therefore there is no likelihood of any mistake having been committed by the reporter, deliberate or unconscious. I am certain therefore that I shall be justified in taking it that what has been reported in the Manorama is a correct and true statement of what Mr. Varughese said on the occasion. It may also be noted that so far no member who has spoken in support of Mr. Varughese has chosen to repudiate the correctness of the report.

The first speech delivered by Mr. Varughese is reported in the Manorama dated 5th October 1937/19th Kanni 1113. After certain spectacular demonstrations, Mr. Varughese, in his welcoming speech is reported to have made the following statement:

“സ്വാർത്ഥത്തെയും സ്വന്തജാതി നന്മയേയും ഹഠി ചേർത്തു ചിന്തിക്കുന്ന തീരുവിതാകൂറിലെ അന്ധതയെക്കുറിച്ചുള്ള സമുദായങ്ങളോടൊന്നി പദ്ധതിയെ

തിയ്യളെ കഷ്ടപ്പാടുകൾ സഹിച്ച ത്രാഗിക്രമമായ മി. കേശവൻ തിരുവിതാംകൂറിലെ ഒരു ചക്രവർത്തിയെക്കുറിച്ചുള്ള ഹൃദയംഗമവും സന്തോഷപൂർവ്വവും ആയ സ്വാഗതം ഞാൻ നൽകിക്കൊള്ളുന്നു.

PRESIDENT : The member may perhaps translate it for the benefit of those who do not know the language.

MR. PUTHUPALLI S. KRISHNA PILLAI : Sir, the ideas contained in the statement are complex.

PRESIDENT : If the honourable member gives up the task, somebody else will do it. (*Laughter*).

MR. PUTHUPALLI S. KRISHNA PILLAI : I shall attempt the translation myself :

"In the name and on behalf of the 51 lakhs of people of Travancore I accord with pleasure a hearty welcome to that most self sacrificing individual, Mr. C. Kesavan who without a thought for his own self-interest or the interest of his community has undergone diverse privations for the sake of all the under-represented communities in the State."

This, I submit, is more or less a true translation of this complex sentence. If Mr. Varughese has made this statement, and as I submitted I cannot for a moment believe that this is a statement which has been falsely foisted on him by the reporter for the purpose of bringing Mr. Varughese into trouble. We should consider what ideas are conveyed in it. In the first place, he has stated that he is welcoming the ex-convict on behalf of the 51 lakhs of people. In the second place he says it is a sincere "ഹൃദയംഗമവും സന്തോഷപൂർവ്വവും" welcome, unmistakably sincere, heart-felt. It is that welcome that he accords. And to whom? To Mr. Kesavan. For what purpose does he do it? Because without any feeling of self-aggrandisement or promotion of self-interest, without any feeling of promoting the interest of the community to which he belongs, he has boldly and consciously uttered certain seditious words and undergone incarceration in jail for two long years. For what purpose? For the purpose, according to Mr. T. M. Varughese, of benefiting the large unrepresented communities in the State.

MR. E. JOHN PHILIPPOSE : Did he really say that for that purpose he was welcoming him?

MR. PUTHUPALLI S. KRISHNA PILLAI : What else did he welcome the ത്രാഗിക്രമം for? As I said, Sir, you cannot place too literal an interpretation upon what a reporter has reported. Now, here are the words, here is the situation and here is the Deputy President who has spoken. The Deputy President who has spoken is a person who is as experienced in the art of speech-making as several members of this Assembly. He is a grown-up individual, a very efficient advocate, a person who has been trained for the last 22 or 23 years in the method of presenting facts, of making statements and of arguing his positions. It is such an individual that has made this statement. What does it imply, I ask. To me it appears that what I have stated is the only possible interpretation. Take into consideration the circumstance that it is Mr. Kesavan who has been welcomed, take into consideration the fact that Mr. Kesavan is returning from gaol after imprisonment for

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two years, and take into consideration the fact that the High Court after an elaborate enquiry, in spite of the denials made in the case, found as a matter of fact that certain statements were made by him and the fact that they also found that those statements were made consciously and intentionally and that those statements constituted the offence contemplated by law. You then find how Mr. Kesavan who was a rising lawyer had become a "പ്രതിപക്ഷം". Our Deputy President says that he has done it not for self-interest, not for the interest of his community but for the interest of certain unrepresented communities in the State. Therefore this offence committed, this imprisonment undergone, this boldness exhibited, by Mr. Kesavan, according to our Deputy President, was an act of self-sacrifice and our Deputy President says "I heartily and sincerely welcome him."

Let us now consider on whose behalf or in whose name he welcomed him. Was it in his individual capacity? Was it as the President of the Samyukta or the Joint Political Congress? Was it as the vakil of Mr. C. Kesavan? No. He says on "behalf of the 51 lakhs of people." What is the significance of that expression? It was pointed out by some of the journals in the State that this is an arrogation of the representative capacity of the 51 lakhs. To a person who speaks in Malayalam language the only implication that is contained in it is that the speaker on that occasion was thinking of his capacity as the Deputy President of this Assembly, because even though he did not use the exact words "I as Deputy President" what he implied was that he was representing 51 lakhs of people. What is the meaning of 51 lakhs? Is there any significance attached to the use of the expression "51 lakhs"? Some honourable members stated here that Mr. Gandhi was sometimes speaking for the 350 millions. Mr. Varughese might have said that he welcomed Mr. Kesavan on behalf of 350 millions. It would have been meaningless and no one would have found fault with him. But he said 51 lakhs. What is the significance of that expression? It is common knowledge that the entire population of this State when it has to be referred to can with propriety and with sufficient reason be referred to as fifty-one lakhs. If I say now that on behalf of the 51 lakhs I make this speech, what would be the meaning of that? It can only mean on behalf of the entire population. If I said that, it can have only that meaning and if Mr. Varughese said the same it cannot imply anything other than that. It was pointed out by some of the leading journals that when Mr. Varughese stated that he was welcoming this ex-convict in the name and on behalf of 51 lakhs it can only mean that. No one here present will think otherwise.

Mr. Varughese as a public man could never arrogate to himself the representation of 51 lakhs of people on that occasion because he was conscious that the entire population of the State was divided on this question into two factions and that there was a clear-cut division between the two. For, one party said that it was a meritorious act of

Mr. Kesavan and the other party condemned it and said it was the most unpardonable act that he did. I cannot for a moment believe that Mr. Varughese did not remember this when he made the statement. Every moment of the four and odd months during which he has been a member of this House he has been made conscious of that. So that, when he said that he was representing 51 lakhs, he could not have been speaking as a simple public man. The entire population or any institution representing the entire population did not assemble and authorise Mr. Varughese to welcome Mr. Kesavan on behalf of the entire population of the State. Then how did he do it? To my mind it appears that there is only one inference that can be drawn.

He has the representative capacity of the 51 lakhs of people. It is an undoubted fact and that is the only capacity in which he represents the 51 lakhs. As I said, there was no organisation in the State, no all-Travancore public meeting authorising Mr. Varughese to represent them. But there was one capacity, the unspoken capacity, in which he was the representative of the 51 lakhs. That was because he was *our* representative. We here, the 62 non-official members, elected and nominated, and the 10 official members, represent the entire population of the State, the 51 lakhs mentioned in his speech. If it is not in his capacity as Deputy President of the Assembly he made that statement, I cannot understand in what other capacity he made that statement. Is it possible for Mr. Varughese under the circumstances to convince us that after all, 51 lakhs is a meaningless expression, that it was after all an expression by which he did not want to connote the idea that he was speaking in his representative capacity?

There was that statement and the press immediately took up the question and pointed out that such a statement is inconsistent with actual facts and that the members of the Assembly on whose credit he must have drawn unauthorisedly for making the statement should take up the question at once; and the press even challenged Mr. Varughese to state whether he had any explanation in regard to this matter. There he had an opportunity. Every public man, every politician, reads newspapers every morning or whenever he gets time every day and finds out for himself whether anything has been said about him and his activities. If any false report or wrong comment has been published, immediately he contradicts it. That I believe is being done everywhere and even in this small State of Travancore it is being attended to with meticulous care. As I said there was an opportunity, Sir, and the members of this House thought that Mr. Varughese would take the earliest opportunity to clarify his position. He did not do it. Let us grant for argument that he was not aware of the criticism in the press. He had another opportunity. Seven days later, that is on 12th October 1937 corresponding to 26th Kanni 1113, the Manorama publishes a report of another public meeting similar to the one at Alleppey with attendant demonstrations held at Quilon. Mr. Varughese presided on the occasion. Even though seven days had elapsed and even though Mr. Varughese or any of his partisans had declined to take notice of this

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newspaper comment it was pointedly brought to his notice on that day by his lieutenant Mr. P. K. Kunju, an honourable member of this House, who said that it was "Mr. Varughese's right to welcome Mr. Kesavan in the name and on behalf of the 51 lakhs." He justified that statement and he said "has not the Deputy President the right to represent the 51 lakhs?" That is exactly what I also understood. I do not blame Mr. P. K. Kunju for making that statement. He understood it in that sense and as I understood it and as every other citizen in the State would understand it. He said "the Deputy President of the Assembly, the undisputed leader of the people—has he not the right to welcome Mr. Kesavan on behalf of the 51 lakhs". He did not say it was a meaningless statement.

MR. JOHN PHILIPPOSE : Does the honourable member think that it is a correct rendering of what he said ?

MR. PUTHUPALLI S. KRISHNA PILLAI : Yes, I think so. The passage was read by Mr. Padmanabha Pillai and I do not want to read it again.

PRESIDENT : If the matter is challenged I think it ought to be taken up by the member to justify his assertion.

MR. PUTHUPALLI S. KRISHNA PILLAI : I have been submitting that the public meeting at Quilon was the first public demonstrational occasion on which after the criticism was offered in the newspapers, the matter could have been referred to and explained. The honourable member who spoke on the occasion, Mr. P. K. Kunju, is a member of this House and is present here. Here is the report of what he said :—
 "തിരുവിതാംകൂർ നിയമസഭാ ഡയ്യൂട്ടി പ്രസിഡന്റായ മി. ടി. എം. വരഗീസ്, ജനപക്ഷനേതാവായ മി. ടി. എം. വരഗീസ്" Not the President of the Samyukta Political Congress or Mr. T. M. Varughese, the person who has been defending Mr. Kesavan—that is not the way in which Mr. P. K. Kunju has chosen to describe him when he is referring to this incident, but as the Deputy President of the Travancore Legislative Assembly, ജനപക്ഷനേതാവായ, the leader of the people of the State. He is the "ജനപക്ഷനേതാവായ". Because this is a popular institution, and the 62 members, representatives of the people, have elected him as their representative, as their Deputy President. There is absolutely nothing wrong in describing him as the representative of the entire population because we combined together are the representatives of the people and we have chosen him as our leader—our *Nethavu*. He does not represent the Sirkar or the Government, but he is the ജനപക്ഷനേതാവായ മി. ടി. എം. വരഗീസ്, After thus describing the attributes of Mr. Varughese who spoke at Alleppey, Mr. Kunju says—
 "അയ്യപ്പച്ചേരി മെമ്പർമാരിൽ പേരിൽ മിസ്റ്റർ വരഗീസ് സ്വാഗതം ചെയ്ത അമ്പലമുക്ക് അദ്ധ്യക്ഷൻ പറഞ്ഞു." To make his declamation complete he must have put his fore-finger on his nose and the audience must have hooted us. What is his next sentence? ഇതാദ്യം കള്ളന്മാരുടെ മാതൃഭാഷയെന്ന് ഞാൻ പറയുന്നത്. He says "It is real jealousy." This idea must

have been started by those who have been jealous of his position."—evidently meaning by that statement that it must have been started by those who have been competitors with Mr. Varughese for the place of the Deputy President, the unquestioned leader of the People. This speech would necessarily imply that Mr. P. K. Kunju an honourable member of this House, understood by this expression that at Alleppey Mr. Varughese welcomed Mr. C. Kesavan in the name of 51 lakhs of people. He does not deny that Mr. Varughese even spoke like that. He justifies it on the ground that he is the Deputy President, the leader of the people. I thought the honourable member Mr. K. Kesavan who was also present on the platform at Alleppey and Quilon would have enlightened us. Anyhow Mr. P. K. Kunju and the Manorama have not denied or corrected the Alleppey speech. Mr. Kunju justifies it not on the ground that he might not have meant what he said or that he did not say what he is reported to have said, but on the ground that the Deputy President of the Sri Mulam Assembly, the unquestioned leader of the people is entitled to welcome C. Kesavan on behalf of the entire population of the state.

MR. KOTTALIL P. ABRAHAM: Cannot that expression mean "Deputy President so and so" as described by others?

MR. PUTHUPALLI S. KRISHNA PILLAI: It may mean that if you refuse to understand what I have said and read here.

A responsible member of this House and the Deputy President of this Assembly is expected to know what he says. So far as I can see, this is the only implication in those words. I cannot see anything incongruous or inconsistent in what I have suggested.

Now that was the first occasion and the second time when this matter was publicly brought to Mr. Varughese's notice, from the report of the proceedings of that meeting we found that in the opening address Mr. Varughese had no occasion to refer to this. During the course of the meeting this matter was specifically referred to in the speeches made by the various speakers, including the one by Mr. Kunju already referred to. Mr. Varughese who was presiding had the chance in his concluding remarks either to deny this statement or offer some explanation which would have allayed public resentment and acted as the healing balm to the wounded dignity of this House. But instead, he is reported to have said "എല്ലാ ജനങ്ങൾക്കും ചേർന്നിട്ടുള്ള ഒരു വേദം വീണ്ടും അനുഭവിക്കുന്നു. തിരുവിതാംകൂറിൽ പല പക്ഷം ജനങ്ങൾക്കും ചേർന്നിട്ടുള്ള ഒരു വേദം അനുഭവിക്കുന്നതിൽ തങ്ങൾക്കു അനുമതിയും ഇല്ല എന്നു ഞാൻ ഇന്നും സന്തോഷം ചെയ്യുന്നു". I again congratulate Mr. Kesavan on behalf of the entire people. At Alleppey I congratulated Mr. Kesavan on behalf of the entire population, I do it here also. "On that occasion also I said so boldly. To-day also I do it boldly. If there is any beggar in this land who has got the courage to impeach my statement and question my right, let him do it. I say it boldly and deliberately, as boldly and deliberately as I did it at Alleppey". This is the gist of what he is reported to have said. Now, is this report correct? If it is correct, there is the Alleppey statement in all its nakedness. If there

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is the statement, there is the meaning which is clear to the House. If there is the meaning, the decision on the question is equally clear to all the members. Now the question is whether on these two occasions, or, we will take it, on the first occasion, the Deputy President of the Assembly had the sanction of this House to welcome C. Kesavan on behalf of the 51 lakhs of people. If he had, my submission is that there is nothing wrong in it. On the other hand, if he had not, then he has betrayed the confidence reposed in him by us. If it is wrong, it is the privilege of the members of this House to take up the matter and seriously consider whether we shall hereafter repose in him the same confidence which we had been reposing during the last five months. If we are not in a position to repose that confidence we have to consider whether we should not adopt, as the only course, that should be adopted, of voting for his removal.

Sir, in regard to that question, one thing more I would bring to your notice. It is the privilege of every member of this House to speak out what is in his mind. It is the duty of every member of this House to preserve its privileges and its rights. It is the absolute right of every member of this House to build up a healthy precedence for the maintenance of the rights and privileges of this House. In this particular case, my humble submission is that I agree with the Honourable members of the Samyuktha party that we discuss the question and decide it unimpassioned by any party or communal feeling. It is a matter that has to be decided entirely for the maintenance of our dignity, preservation of our rights and privileges. If that is the aspect in which this matter has to be considered every member present here has got to speak out his mind. It was said by Mr. K. R. Narayanan as a correction to Mr. Kainikara Padmanabha Pillai that he did not make the statement referred to by him. I heard him say things to the following effect. “സമുദായങ്ങൾ തമ്മിൽ വളരെ മങ്ങുരത്തിച്ചുപോയതുകൊണ്ട് കഴിഞ്ഞു.

ഇപ്പോൾ അവർ ചേർന്നു കഴിയാറായിരിക്കുന്നു. ഈ പ്രമേയത്തിന്റെ തീരുമാനം പോലെ ഇതിൽ സമുദായശുദ്ധിയിന്റെ ഭാവം.” That was his advice.

For myself, Sir, I felt very much annoyed and to some extent anxious as to how I should exercise my right of speech and vote on this question. If this portends such disastrous consequences in the future, I thought it better not to exercise my right at all. But better thoughts have impelled me to stand up and speak on this matter for an unimpassioned decision. I therefore point out to the members on the other side that whatever has been spoken on this motion and whatever might be done as a result of the speeches, they should not be made the basis for our future relationship, cordial or otherwise. As regards the matters in this House, I submit that there is nothing to fear so long as the Chair, so long as the statute and so long as necessary safeguards for protecting the rights and liberties of the members are there. For the sake of safety in the future we should not be impelled to barter our rights. Honourable members will be pleased to note that Mr. Varughese did not contradict his speech as reported in the Manorama of 5th October 1937. He did not impeach its correctness when

he was questioned in the press. It was repeated in his presence by one member of this House at Quilon. He did not deny it, he did not explain it then, but contented himself with a bold assertion and repetition of what he said at Alleppey. Being the Deputy President the leader of the people, he agreed with Mr. Kunju in thinking that he was justified in his welcome on behalf of "51 lakhs". What explanation he will now offer, we shall soon hear, but how far it would be acceptable is a matter of doubt. Is there any guarantee that there will be no repetition of this in the future? Is there any guarantee that he will not speak on behalf of the 51 lakhs of people and welcome ex-convicts and under-trial prisoners? Ex-convicts may perhaps not be welcomed or under-trial prisoners may not be applauded. But is there any guarantee that the Deputy President would on more serious occasions not misuse his power of representation? Shall we sit here and say that on more serious occasions in future, he will not unduly emphasise this representative right he has? If this is what he will do outside the House, what will be his conduct inside the House?

PRESIDENT : The honourable member may try to bring his observations to a close.

MR. PUTHUPALLY S. KRISHNA PILLAI : My humble submission is that taking into consideration all that has happened in regard to this matter we shall not be justified in taking one more risk. With these words, I support the motion.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli cum Karthikapalli*) : Sir, I wish to make a few observations on the motion under discussion.

PRESIDENT : Will you speak up?

MR. G. P. NILAKANTA PILLAI : Yes. As far as it is possible with me. The accusation that has been levelled against the Deputy President is that on two occasions, once in Alleppey and another in Quilon, he said that he was representing 51 lakhs of people when he extended his welcome to Mr. C. Kesavan. The questions to be considered are whether he said so, and if he said, whether it was in his capacity as Deputy President in abuse of the position of Mr. Varughese as Deputy President and even if it was in his capacity as Deputy President, he was justified in doing so?

So far as he has not contradicted the statement, as reported in the papers, that he made use of such an expression, it may be taken that he used this expression.

PRESIDENT : I cannot hear the honourable member.

MR. G. P. NILAKANTA PILLAI : I am unable to raise my voice louder. A gentleman of Mr. Varughese's position and character would not deny a statement if he has really made it.

The next question is whether he made it in his capacity as Deputy President, and if it was so, was it an abuse of his power? So long as he has not stated that it was in his capacity as Deputy President that he was extending the welcome to Mr. Kesavan, a presumption to the contrary never arises. The Deputy President was not in him when he said this.

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The only point next to be considered is whether he was justified in welcoming Mr. Kesavan as representative of 51 lakhs of people in his capacity as Deputy President, and what is the reasonable meaning that arises out of his statement.

The speech is to be taken as a whole and read as a whole. As I understand his speech, he wanted to exhort Mr. Kesavan who was considered by him (Mr. Varughese) and a large section of the people in and outside the State, as one who, in utter disregard of his personal comforts and the interests even of his own community, made great sacrifices for the larger interests of one section of the people in the State, weighing down under inequalities and differential treatment. He wanted to emphasize that, unlike time-serving self-seekers and sycophants who are prepared to sacrifice the interests of the community and the State, who are prepared to sacrifice even those that are dearest to their hearts, to gain their selfish ends, Mr. Kesavan has a wider field open to him now, and Mr. Varughese was exhorting him to rise above communities, and direct and concentrate his energies for the common good of the country and the king. And for this purpose and with this idea in view, Mr. Varughese accorded a welcome to the leader Mr. Kesavan and not the ex-convict Mr. Kesavan for and on behalf of the 51 lakhs of the people of the State. That is the construction that I would put upon the expression '51 lakhs of people'. The idea was that Mr. Kesavan, who was till then making sacrifices for the cause of his community, who was hitherto fighting for one section of the people should hereafter work for the larger interests of the whole State, unlike the so-called miscreant leaders who do things only with their selfish ends in view. My submission is that the Deputy President was quite justified in extending the welcome to Mr. Kesavan on behalf of the 51 lakhs of people in the sense in which I have explained. Some honourable members suggested that Mr. Varughese might have used the language for theatrical effect. I do not think so. Mr. Varughese is not the person who would go in for theatrical effect. I am of opinion that the statement was made deliberately with the idea and sentiment I have just now expressed.

Sir, honourable members of this House have to take a dispassionate view in this matter. We are not here to advocate the cause of any client of ours. We should consider both sides impartially.

Mr. Narayanan's statement that there was some undercurrent at the bottom of the present motion has been resented by some honourable members of this House. But, Sir, there is that impression in the country rightly or wrongly, any way unfortunately. Sir, we have been trusted with great responsibilities and powers. However limited our rights and privileges be, communal considerations should not prevail on us. The interest of the State as a whole should be our sole consideration. Sir, I for one do not take the statement of Mr. Narayanan as a threat to anybody. I would request the Honourable members to deal with the motion in an impartial manner, with a full sense of their responsibilities as representative of the 51 lakhs of the people of the State.

We will however decide after hearing the Deputy President.

MR. K. T. THOMAS : Sir, I rise to oppose the motion. In doing so let me not be misunderstood as believing that arguments however persuasive, advocacy however strong, will influence the ultimate decision of the question. A good deal of forensic ability has been displayed on the floor of this House in the discussion on this motion. A very determined attempt has been made to read into the passages which have come up for discussion, implications which are not obvious, to attribute motives, to draw inferences, to put an interpretation which, according to the interpreter, is the only possible interpretation. Effort has been made to cloud the clear issue by statements calculated to define the constitutional position of the Deputy President. Sir, the constitutional position of the Deputy President is not unknown to the honourable members. He is one elected by this House to preside over its deliberations in the absence of the President. His right to preside arises only in the temporary absence of the President, and whether he actually presides or not necessarily depends upon the decision arrived at for the time being by the President who is in absolute charge of the deliberations of this House. Therefore, by the statute itself, there is considerable difference between the President and the Deputy President. The distinction between the position of the Deputy Speakers and Deputy Presidents elsewhere and that of our Deputy President has got to be borne in mind when we decide the question how far the latter is or ought to be, above parties. Although it has been pointed out more than once that the allegiance of the Deputy President to a particular party does not arise in the present instance, considerable effort has been made to define the constitutional aspect of it. But before I proceed to examine the charge levelled against the Deputy President, let me clear up the situation if I can.

Sir, it is not unknown that the Deputy President is never intended to be a man above parties. I need not invite the attention of this House to anything other than the position assiduously maintained in the Central Assembly, recently, by the Honourable Akil Chandra Dutta, in the debate on the Insurance Bill. As the press would have it, he has been consistently speaking in support of and voting with the Congress Nationalist party.

PRESIDENT : I think that the analogy to what is called the Congress policy is irrelevant here for the reason that the Congress, as is well known, is there to wreck the constitution and not to work it. The Congress Ministers holding office, their Deputy Presidents holding office, these are all intended to wreck the constitution and not to work it. That is their avowed object. The procedure adopted by the Congress is in accordance with that avowed object and must be interpreted in terms of that declared policy.

MR. E. JOHN PHILIPSE : Is the honourable member aware of the convention in the House of Commons that the Deputy Speaker is a person belonging to a party and votes for that party, and that is the position in Canada as well as in Australia?

PRESIDENT : Any interruption that is intended as a speech is wholly out of order. But the position is this. The Speaker or President here is an official and is really outside the constitution. He has been imposed by the constitution for certain reasons. There is analogy only between the Deputy President here and Speakers elsewhere.

MR. E. JOHN PHILIPOSE : Is that a ruling, Sir?

PRESIDENT : No; it is an expression of my opinion on the matter.

MR. K. T. THOMAS : It is clear that this is a matter on which opinions differ. But, I believe I am entitled to draw on the precedents of this House. It was made very clear even at the very first meeting of this House that the question whether the Deputy President continues to hold his place in any party or not was outside the jurisdiction of this House. If that be so, may I take it that in his political opinions, allegiance to parties and such other matters, this House is not seized with jurisdiction. The position is amply clear that he might retain his position in any party he likes, and vote with that party consistently, provided he is not at the time presiding over the deliberations of the House, for, as Deputy President, he has got to maintain his judicial position and be above parties. Beyond such occasions, he sheds his position as Deputy President, and all the liberties that belongs to any other member of this House are his. The course of action he takes is entirely his own; and the responsibility for that is his. Only, when he is in the exalted position of the Deputy President he has got to forget that he is member of a party, and has got to hold the scales even, uphold the privileges of this House even at the cost of being thrown into a position of temporary unpleasantness. Therefore I take it that if it can possibly be argued that, inside the House, he did not discharge his functions as Deputy President in the manner expected of him, there would be ground, convincing ground, to ask that he be removed from office. Into matters outside the jurisdiction of this Assembly, I take it that this House has no right to poke its nose so that whatever may be the opinions held by him, whatever may be his actions, whatever may be his utterances outside the House, he is not answerable to this House as Deputy President. If that position is clear, the next and the only question that concerns this Assembly at the moment is whether, as the person responsible for welcoming Mr. Kesavan at Alleppey and at Quilon, he was right in speaking, he was right in doing so on behalf of or in the name of or for the benefit of the 51 lakhs of people of this State.

I do not think arguments need be levelled or breath need be wasted on the interpretation of '51 lakhs'. It means and means only that it is done in the name, for the benefit or on behalf of the 51 lakhs, the entire population of the State. Now, may I ask if almost every member of this House has not had occasion to listen to receptions being extended on behalf of the public of Travancore? Have we not had on occasions to listen to addresses being presented by committees on behalf of the public of Travancore? Now may I ask—is there anything more than

that in the utterances alleged to have been made by the Deputy President? Occasions there have been and I believe it is easy for anyone of the honourable members of this House to recall statements of that kind made on platforms and embodied in addresses where even an attempt of any kind has not been made, of any kind, however trivial to ascertain whether the representation is really a fact or is good in truth. When receptions are got up, whether it be for officials or for non-officials, we come across statements that the "the public of the locality do extend to you a hearty welcome", and has anyone ever cared to see whether there was an exception in that and whether it was really in a representative capacity?

MR. K. G. KUNJUKRISHNA PILLAI: Does the honourable member know that 'public' includes a 'section of the public'?

MR. K. T. THOMAS: It might be, Sir, that according to legal interpretation 'public' may include 'a section of the public'. I do not question that. The only question is—has it ever been the subject of a discussion? Has any attempt been made to verify on any occasion whether it was really representative of the public or of a section of the public? That question can arise only when the representative capacity is challenged in its due form and in the proper place. What I have been attempting to bring home to this House is that when the statements of that kind are made either in speeches from platforms or embodied in addresses presented to persons of position there is absolutely nothing like the seriousness which appears to have been read into the statement alleged to have been made by the Deputy President.

Now, Sir, the only question is whether, even if he stated that on behalf of the 51 lakhs of the people of the State, that statement was good in fact. Now, conceding for a moment that it might have been good in fact, how is that a ground for placing on record the fact that this House has lost its confidence in him? May I remind the honourable members of this House that in the matter there is only a question of interpretation or reading meanings into a statement admittedly uttered outside the four walls of this House and in environments which would not warrant the inference that it was the Deputy President that acted and not Mr. T. M. Varughese? If there is a possibility to say that 51 lakhs represented the entire population of the State and that therefore he could necessarily have done it only as Deputy President, it is as much possible to say that that statement was made by him as Deputy President as such. It is after all a matter of inference whether it was in the capacity of the Deputy President as such that the statement was made. Now, we have nothing positive except our own powers of interpreting the statement to say that Mr. T. M. Varughese was speaking on behalf of the 51 lakhs. But I would seek to draw a distinction here. Even if it be conceded that he was speaking on behalf of 51 lakhs of people, the issue before the House is not whether he was right in doing so. The issue before the House is whether in doing so, he did it as the Deputy President. It is impossible for my imagination to comprehend that the inference is legitimate that it was the Deputy President as such that was speaking at the time.

[Mr. K. T. Thomas.]

Even if it be that it was the Deputy President, is it a violation of the privileges of this House, I ask in all seriousness, that he arrogated to himself the representative capacity of the 51 lakhs. How does that come in as a privilege of this House? Is there a convention that the Deputy President of this Assembly always acts in the capacity of the Deputy President, whether he be in or outside the House? As Deputy President, he has no sphere of action outside this House. Let us not forget that. Outside the four walls of this Assembly and except when he sits in the President's chair the Deputy President is not a Deputy President, because the Deputy President must be Deputy President of the Assembly and if it is not the Assembly that he is presiding over, and if it is not the Assembly he is partaking in, where may I ask, is the Deputy President as such acting? If it is not the Deputy President as such acting, then it is Mr. T. M. Varughese acting and there he is arrogating to himself the right to represent 51 lakhs of people. Let him do so. Even in cases where people have arrogated to themselves the right to represent the public of Travancore those who have been responsible for the statement are not to my knowledge inmates of of the lunatic asylum. They are still let loose on Society, I make this statement merely for the purpose of answering the suggestion made by an honourable member of this House that if he had not in fact the right to make that statement, such a person ought to find a place in the lunatic asylum, implying that the lunatic asylum is open to and is the proper place for people who arrogate to themselves rights which they may not possess in fact.

My position is this—that this honourable House may consider very seriously the dangerous character of the precedent that it is seeking to lay down tonight. It is to haul up the Deputy President of the Assembly for an utterance alleged to have been made by him outside the House in a matter not pertaining to the Assembly. So far as the Deputy President is concerned, if you stand for election or will risk the possibility of being elected as Deputy President, if such election necessarily carries with it the surrender or abandonment of the ordinary rights of a citizen, the rights belonging to an elected member of this honourable House, may I ask—would any one think of accepting this position—this exalted position, as it was put, of the Deputy President?

The learned mover of the motion,—I believe it might not have been very consciously done,—made reference to the fact that not only, have we elected him to the exalted position but we have sanctioned an amount from the revenues of the State. I am afraid I need not dwell on that aspect of the matter except to remark that it would have been better left unsaid. I do not believe that any honourable member of this House ever aspires to or aspired to the exalted position of the Deputy President for that consideration; and if such election carried with it necessarily the surrender of rights pertaining to the ordinary citizen, certainly, I am sure, Mr. T. M. Varughese would not have been among the candidates. As I said, if political convictions have got to be sacrificed, if individual convictions have got to be laid aside for the

position of the Deputy President, I am afraid Mr. T. M. Varughese is not the man for that. All these were known to the Assembly at the time it made its election. His political convictions have not been a secret at the time he was elected to the place. His position in the All-Travancore Joint Political Congress which one honourable member made bold to remark as a mischievous party and a disloyal party and all the rest of it, was known to this body when it elected him. And it was not at all anticipated that personal convictions, political opinions or religious beliefs had anything to do with the exalted position of the Deputy President. So that, may I very dispassionately appeal to this House to decide the question apart from personalities, apart from political controversies and decide the question whether we are right in laying down a precedent that the Deputy President of this Assembly may at any time be hauled up for actions or utterances or conduct on his part outside the four walls of this House? If we think that, as an honourable member said, the Deputy President should be a mute, dumb embodiment of ideas, well, let us not have a Deputy President at all because a mute, dumb abstraction cannot preside over the deliberations of sane men, particularly when they are legislating. Let us have some concrete expression of humanity in the Chair and, if that cannot be had, why, may I ask in all reason, bother about a Deputy President?

MR. KAYALAM PARAMESVARAN PILLAI: May I know whether in the honourable member's opinion, it would be proper for the Speaker of the House of Commons to take part in politics, if only he does so outside the House?

MR. M. G. MATHEW: May I know whether the honourable member thinks that the position of the speaker of the House of Commons is similar to the position of the Deputy President of this Assembly?

MR. K. T. THOMAS: Sir, as regards the interruptions made, if it be assumed for a moment that the Deputy President of this House holds a position analogous to that of the Speaker of the House of Commons, my answer is in the negative. But I do maintain and that emphatically, that the constitution does not warrant such an assumption. (Mr. E. John Philipose: *Hear, hear*). If that be so, let us not be at that. The only question is how far the constitution warrants the position that the Deputy President of this Assembly should be a man above parties, should be a colourless embodiment of ideas, should be a mute embodiment of imagination.

MR. E. JOHN PHILIPOSE: What is the precedent of the House with respect to the position of the Deputy President before Mr. T. M. Varughese was elected Deputy President?

MR. K. T. THOMAS: Sir, the first Assembly that was constituted under Regulation II of 1108 had for its Deputy President Mr. T. K. Velu Pillai. I can recall to my mind instances in which the Deputy President entered controversial politics. I can recall instances in which on platforms he sided with parties and openly denounced other political

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parties. I can recall instances in which articles have been subscribed by him to journals in which he either advocated the cause of one political organization or openly condemned another. The fact remains that in the years following 1108 there has been a consistent agitation going on in this State on behalf of 40 lakhs of the subjects of His Highness the Maharaja for political rights, for equal opportunities and I can recall instances, one after the other in which the Deputy President of this very Assembly went on to platforms and found himself in print openly denouncing the agitation which has subsequently been at least recognised in part by His Highness' Government so that the precedent of this House so far as I can see is that the Deputy President has been a militant politician—I would even put it at that. I would not say that he has been a casual politician. Outside the House and inside the House, Deputy Presidents have taken part in party politics. Now, we should be trying to wipe away the past and lay down the precedent for the future to follow. If we have a precedent, let it be followed now and here after. If this motion is passed, we will only be laying down a precedent for the time being. If that is the view the honourable members would take, in respect of the Deputy President, may I ask in all seriousness, does this allegation made on the platform by Mr. T. M. Varughese warrant a motion of no-confidence? May I, therefore, appeal to the dispassionate sentiments of honourable members of this House to keep the issue clear before themselves when they vote and decide what exactly we are now trying to lay down so far as the constitutional position of the Deputy President is concerned. If it be argued that the Deputy President should be above parties, should be colourless, should not partake in the debate, but should sit as a dummy and take part only on ceremonial occasions,—if that is the idea of a deputy president; certainly Mr. Varughese does not enjoy our confidence. But if he is to possess all the rights of a citizen of this State, all the rights of an elected member of this House, then let us not in any way mar the serenity of the office by saying that he should remain dumb and mute.

MR. PUTHUPALLY S. KRISHNA PILLAI: Can the member cite one instance in which a former Deputy President openly claimed to represent 51 lakhs?

MR. K. T. THOMAS: I am not aware, Sir.

MR. M. SIVATANU PILLAI: Sir, it has more than once been demanded by honourable members of this House that this question should be viewed dispassionately. I may assure the House that I shall in my own humble way attempt to do so. Frankly speaking, I was wondering at the commencement of the debate whether I will be after all entitled to intervene in it. For I found then there was a good deal of dust and cloud in regard to this question followed by threats. When the mover moved the motion, there was a good deal of interruption and a volley of questions fell on irrelevant matters. Naturally a person of my position felt rather nervous to intervene in the debate. But fortunately as the debate developed the issue was made more clear. Some honourable members said that there was an undercurrent under this motion. If

reminds me of eighteenth century England when there were two parties called the Whigs and the Tories. One party used to say on trivial matters "this has been done by a Whig." The other party used to say on similar matters that this has been done by a Tory. Let mere mind honourable members that we are living in the twentieth century where there is no occasion to attribute motives or under currents. That is my justification to say that I propose to deal with the question from an utterly dispassionate view.

Much has been said about the legal aspect of the question. Although I do not know much of law, I have a superficial knowledge of it. (The position of the oppositionists appears to be like this. Elder Vakils of Magistrate Courts advise junior Vakils, in all cases, not to admit an act but to deny it thereby putting the prosecution to prove their case. More often than not such advice ends dangerously, so much so that now-a-days juniors admit the commission of an act and turn the situation to their advantage. Here also I find that those who opposed the motion proceed on the basis that Mr. Varughese may not have made the statement. I do not know what it is other than advising him to deny it. As asserted by the mover and also supported by the honourable members who spoke on the motion, a statement as read out from *Manorama* was made by Mr. Varughese at Alleppey which was again re-affirmed by him at Quilon. But there seems to be an attempt at quibbling the statements. I want to know in order to clinch the issue whether that statement as having been made by Mr. Varughese is correct or not. There is no meaning in saying that there is an allegation of such a statement alleged to be made by him. As Mr. Tolson put it, let us have a clear issue. That is why I was wondering what their point was about when honourable members were speaking in opposition to the motion. I want to know whether the report in *the Manorama* is correct or not. If the report is false, we are not concerned with that, and there is an end of the matter. We are concerned with the Deputy President only. But the opposition arguments have proceeded on "ifs." Now are we to proceed on its? If Mr. Varughese did not make those statements there, he can stand up and say that he did not say them. As Mr. Krishna Pillai showed he had the opportunity at Quilon, and he could have straightaway denied them. We are proceeding on the assumption that he made those statements meaning only one way. And so long as there is no denial from him we assume that such a statement was made by him. If that be the position, then the issue is quite clear. Mr. K. T. Thomas argued that because one honourable member, an innocent gentleman, happened to be the unfortunate Deputy President of this House, that does not mean that he should not be a good father or a good friend. We are not concerned with that. We are concerned with that gentleman only as the Deputy President whether he did not assume or mean his place of Deputy President when he welcomed Mr. Kesavan on behalf of the 51 lakhs of people. I do not know whether I was included in the 51 lakhs. If I was included I will challenge him. If it were done in a ceremonial function, it would not have mattered. Whenever he

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participates in a public and non-controversial function he may act as the Deputy President. Then the natural implication is that he anticipates the approval of this House. But here in this case, the position is different; and that is why the House questions it. If he says that he made the statement in question unwittingly I would have forgiven him. If some big State Guest arrives in the platform and Mr. Varughese goes there and says, "I give you a hearty welcome on behalf of the 51 lakhs of people," that would have been alright. Here, Mr. Kesavan's case is a subject matter of high controversy. I may say that I am also as others one of those admirers of political convicts in British India. But I must add that I am an admirer only of a certain species of political convicts and not all kinds of them. As a matter of fact the Congress party has condemned in British India when they found people courting prisons, in a spirit of bravado.

PRESIDENT: Order, order. The honourable member will confine his remarks to the motion before the House.

MR. SIVATANU PILLAI: Yes, Sir.

I maintain that before the bar of reason and taste there is a distinction between one set of political convicts and another for the simple reason that one is for pure sacrifice and another is for playing a hoax or a bravado. So what I wish to stress upon the attention of the House is whether Mr. Varughese is justified in saying that he had 51 lakhs of people behind him in according a right royal welcome to Kesavan, whether it is the occasion for him to represent 51 lakhs in that function. It is a highly controversial matter. In fact controversy arose to his knowledge, subsequent to his speech at Alleppey and before that at Quilon.

I may here draw the attention of the House to the irrelevant statement made in this connection that Mr. Kesavan is the embodiment of self-sacrifice. That is a matter on which opinions differ, and it is absolutely irrelevant to the present discussion. It cannot be denied at any rate that that matter is one of high controversy. Therefore it cannot be argued that Mr. T. M. Varughese was not aware of the controversy. He, as a responsible member and representative of this House, will not say that he was not aware of the cleavage of opinion about Mr. Kesavan and his case. Such being the case, how was his reference to himself as the sole representative of the 51 lakhs justifiable. What else could he have meant other than Deputy President's place, when he said he represented 51 lakhs, the population of the whole State.

The interpretation of the expression "on behalf of the 51 lakhs" has been made quite clear by Mr. Puthupalli S. Krishna Pillai. The real import of the speech has to be gathered from the whole speech, not one portion of it, but a series of such portions. It was the subject of a prolonged public controversy and that to the knowledge of Mr. Varughese. There cannot be any shirking of the issue. If the statements are admitted, the only question that arises for consideration is whether Mr. Varughese made them as Deputy President. It has been

clearly argued how that is the only possible construction. It is up to Mr. Varughese to deny that, and to clear the whole issue. He can say "I did not mean it in that sense; I am sorry." But, so long as such an explanation is not forthcoming, I take it that he did make the statements in question as Deputy President. Sir, in this connection I may recall the famous statement made by Mahatma Gandhi at the Round Table Conference. Even he did not arrogate to himself that he was the representative of the Indian population as a whole, though he could easily claim it; but he laboured hard to show that the majority opinion was his. It is therefore not simple or silly matter as Mr. Philipose made it. The statement "on behalf of the 51 lakhs of people" is certainly unwarranted and shall not go in the name of this House. It may go in the name of the leader of the Samyukta party or in the name of any party or in anybody's individual name. I have absolutely no quarrel about that. I am only anxious that such a statement should not be fastened upon me and this House as a whole. Let it be made clear that I have not given him any *carte blanche* to say whatever he liked about Mr. Kesavan.

Sir, I do not think there is any real necessity to consider the legal and constitutional position of the Deputy President in other places and for the bringing in the Deputy President in Canada and Australia. We are concerned only with our Deputy President. I do not propose to drag in even the Speaker of the House of Commons. Mr. Whittlesey the Speaker was never a party man after he became Speaker. That is the convention in the House of Commons. And, it is also the convention there that the Speaker should be elected unopposed. There will be only one candidate set up, and he is returned without any party opposing him.

MR. JOSEPH VITHAYATHIL : Does the member suggest that practice here also?

MR. M. SIVATANU PILLAI : In all these matters, healthy conventions have to be built up. Whittlesey never participated in party politics. On ceremonial occasions, just to give him the distinction and to make the public understand that he was the Speaker, he was allowed to have before him the ceremonial privilege of a man bearing his beautiful mace in front of him. He is considered to be the real emblem of the Public. Therefore, Sir, it is now up to Mr. Varughese to say that he made the statement at the heat of the moment, that he forgot himself as he was welcoming Mr. Kesavan, that his feelings got the better of his reason. I would request the House to concentrate their attention on that issue.

MR. A. THANU PILLAI : It seems to me more or less clear that the Deputy President under existing circumstances is not under any disability so far as his party allegiance or his political views are concerned. But, personally, Sir, I would wish that he keeps aloof as far as possible, from party politics; and conducts himself, in whatever he does, in such a way that this House would readily, ungrudgingly continue to repose confidence in him. That is the position of the Speaker of the House of Commons. But there it has been reached as a result of centuries of

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constitutional development. Here, we have a constitution given to us by our Sovereign. The statute does not provide as to the position of the Deputy President in this respect. It is left to the Deputy President to so conduct himself as to create healthy precedents and a tradition like that of the Speaker of the House of Commons. Since restrictions are not imposed by statute, and since we are in our infancy in the matter of representative institutions, I for my part would suggest that the attempt of all of us here, of those who are interested in the future development of this House, should be to create healthy conventions as far as possible. It has been stated here that the position of our Deputy President is analogous to that of the Speaker of the House of Commons. The analogy is by no means complete. The President stated that the Deputy President is at liberty to have his own way so far as his political views and party allegiance are concerned.

PRESIDENT: What I said was—and that was in response to a question put on an earlier occasion here—that, to my knowledge Mr. T. M. Varughese had not resigned from his party. I was not then concerned with that nor is I think the House now concerned with it, in relation to the present resolution.

My analogy with the Speaker of the House of Commons is simply this. The President at the moment is a salaried officer of the Maharaja; and he is also the head of the Government. Therefore, he has neither the peculiar prerogative nor the special position of the Speaker of the House of Commons. The nearest approximation to the Speaker under the limitations of this constitution, is the Deputy President. That is my point.

MR. A. THANU PILLAI: Thank you, Sir. That leads me to another aspect of the matter. I am one of those who hope that at no distant date we are going to have an elected President.

PRESIDENT: There was one in Kashmir.

MR. A. THANU PILLAI: When that time comes, the conventions that ought to control the conduct of such a President should, I very much wish, have been brought into existence and developed by the present Deputy President and his successors. That should be our aim. But, although that is my wish, the Deputy President is not prohibited by the law which brings him into existence, from taking part in party politics, or having his own political views. But, we are at present concerned only with the definite question as to whether he has so conducted himself as to forfeit the confidence of this House.

He may have his own political views. He may express them. He may belong to a party. He may owe his party allegiance. I should be content to leave it to his good sense and sense of propriety and to his concern for the future of the constitution that he does not exercise those rights in such a way as to retard the growth of healthy conventions. But he should by no means make use of his position as Deputy President or conduct himself in such a manner that he forfeits the confidence of the House. In the present instance what is it that he has done?

I shall make my position clear by reference to the very facts of the matter under discussion? It is here alleged and practically conceded—I must take it that it is conceded until the denial comes from Mr. Varughese himself—that on one occasion namely, at the Alleppey meeting on behalf of the 51 lakhs of people of Travancore he extended a welcome to Mr. Kesavan who had just come out of the jail. On a subsequent occasion at Quilon, after objection had been taken in the press to his conduct at Alleppey, he repeated it and affirmed that he was right. It has also been brought to our notice that another person who took part in the second meeting specifically adverted to the fact of the Deputy President of the Assembly, Mr. Varughese having welcomed Mr. Kesavan at the Alleppey meeting.

Now, Sir, we must deal with human affairs in a way in which reasonable human beings would deal with them. Dealing with facts as they are, I am constrained to say that Mr. T. M. Varughese, misused or abused his position as Deputy President in his conduct at these two meetings and acted in a way unworthy of that position. That, to me, seems to be clear.

Mr. Thomas was arguing—are we concerned with his conduct outside this House? Would we be within our rights in taking into consideration what he does and says outside the House? I started by saying that under existing conditions, legally he may be within his rights in what he says and does outside the House so long as he does not make use of his position as Deputy President in so doing and saying; and so long as he does not act in a way unworthy of his position. In this case it cannot be denied that he really gave the impression that the Deputy President of the Sri Mulam Assembly was welcoming Mr. C. Kesavan who came out of gaol a few days before that. Sir, if the matter had not been controversial, the position would have been different. Mr. T. M. Varughese knew for a fact that Mr. Kesavan's conviction was under circumstances resulting from an agitation which was dealing with matters of a very controversial nature. There was a considerable section of the people in the State opposed to the agitation and to the views of those that took part in it. He also knew that if he welcomed Mr. Kesavan on behalf of the 51 lakhs of people there would be many to say no to it.

Now, the question is whether in doing that, he violated his loyalty to the Legislature that gave him the position of Deputy President. If he said "I am welcoming on behalf of the 51 lakhs of people", and if the members of this House had no objection to his doing so, he would have been right. But when that representative character which he made use of was given to him by this House and if this House does not agree with him in the propriety of his conduct he forfeits the confidence of this House. The matter is now before this House. If by a majority this House resolves or records its opinion that Mr. T. M. Varughese was right in declaring to the audience at Alleppey and Quilon that he represented the 51 lakhs of people in giving Mr. Kesavan that welcome, he retains the confidence of the House. But if the House resolves or records its opinion that this action of Mr. T. M. Varughese

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was wrong, that he was wrong in taking part in the demonstrations in honour of Mr. Kesavan and welcoming him on behalf of the entire population of the State and thereby he acted in a way unworthy of the Deputy President, he loses the confidence of the House. That appears to be the position. That is how I view the constitutional and legal position of this question now under discussion here and I think Mr. K. T. Thomas's arguments in regard to our not possessing the right to question what Mr. T. M. Varughese does outside the House do not hold good in this case. I do not subscribe to the view that under no circumstances can the House take note of the conduct of the Deputy President outside the House.

So far about the facts and the legal aspects of the matter. But I would proceed further and refer to one or two other aspects. As I say, our constitution is in its infancy and we want to develop it on healthy lines. The real constitutional position might not have been generally known, might not have been fully studied. Mr. Varughese might have been in the right or he might have been in the wrong. It is for this House to view the matter practically in such a way as would create as little unpleasantness as possible. We have not had many Deputy Presidents. We have had only one elected non-official Deputy President before, though we had two or three nominated Deputy Presidents. Even though it was stated here that the former Deputy President took part in party politics my own impression has all along been that that gentleman tried to do his best to keep away from political parties and factions. He voted in the House. That was in his individual capacity as an ordinary member, except of course when he voted as Deputy President while presiding. We have not had much by way of precedents. Our concern is not so much to penalise one who happens to be Deputy President even though he is found to err, especially in the early stages of our constitutional development as it is to see that our conventions grow properly. Now, Sir, if Mr. T. M. Varughese says that by his conduct at the meetings at Alleppey and Quilon he had no idea that he would in any way be infringing the privileges of this House or acting in such a way as to forfeit the confidence of this House and if he will also say—of course it is only a suggestion and I may be pardoned for putting it forward—that so far as the future is concerned his conduct will not in any way be such as to impede the natural, healthy growth of our conventions, I think this motion may well be dropped. I say that, because I am of opinion that even though there may be sufficient grounds, it is better that we avoid the contingency of having to remove a Deputy President. Personally I take that view and I would be very glad if my suggestion comes to be accepted.

Then, Sir, in regard to what may happen in case this motion is carried. Left to myself, this is a matter that could have been ignored in the present stage of our constitutional development, and I would not have brought forward a motion like this. But once this motion is before the House and it comes to a matter of division, I would certainly

take what appears to me to be the correct attitude whatever may happen. I do not think that my brother members cannot appreciate the fact that this matter has to be decided, if it comes to a decision, on its own merits, in the best interests of this institution, apart from all considerations of what may happen or may not happen outside. And I do not think anything untoward will happen. And it will certainly be the prime duty of Government to see that a vote exercised on a motion in this House does not lead to anything untoward and to see that any tendency in that direction is checked with all its might.

Sir, I wait to see what Mr. Varughese has to say and what further development this motion has.

MR. V. K. VELAYUDHAN : I have bestowed my anxious consideration on this motion and I must confess my inability to support it. The only allegation that has been advanced against the conduct of the Deputy President is that he addressed a meeting at Alleppey and later on another at Quilon saying that he was welcoming Mr. C. Kesavan on behalf of the 51 lakhs of the people of this Country. It is maintained that the Deputy President should be above party politics. It is further argued that the Deputy President should never take any part in any politics at all. His position is said to be analogous to that of the Speaker of the House of Commons. On this constitutional question I beg to differ. To me it appears that the position of the Speaker of the House of Commons is quite different from the position of the Deputy President of this Assembly. In the House of Commons the Speaker whenever present presides over the deliberations of the House. Our Deputy President presides only when the Dewan-President is absent from the House. It may happen that during a whole session of this Assembly our Deputy President may not be occupying the Chair at all. Then, is he to sit dumb? Is he not to express any opinion on the questions that come up for discussion on the floor of this House? If you say, Sir, that his position is similar to that of the Speaker in the House of Commons, he should always remain mute and dumb in this House. I maintain that nobody would demand that the Deputy President should never open his mouth. If you press the logic in this argument, then the panel of chairmen also comes under this category. My position is that the Deputy President functions as Deputy President of the Assembly only while he occupies the Chair. While he occupies the Chair, he must act judicially, impartially. I have absolutely no quarrel with that wholesome principle. But at all the times when he is not occupying the Chair I do maintain that he has as much freedom as any other member of this Assembly. If that should be the case within this Assembly, outside the Assembly he is as free, as independent, as any of the other members. Therefore I submit that the Deputy President was absolutely within his rights when he took part in political activities outside this Assembly. Sir, the precedent of this House may explain the position. There was a former elected Deputy President. Some members already placed before the House the fact that he was taking active part in politics. He was taking active part in discussions in this House and outside. Yet nobody ever dreamt of moving a no confidence motion,

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Now times are different. There is no use of ignoring facts. There is a section of the public in our country who do not see eye to eye with the activities of the Joint Political Congress and the activities of Mr. C. Kesavan. Some of the members who spoke in support of the motion branded Mr. Kesavan as disloyal. I have known Mr. Kesavan intimately and without the least hesitation I can declare on the floor of this House that loyalty is ingrained in him. But I can very well understand why he is always proclaimed as disloyal. Sir, let me place before this House the demoralisation that has set in in the public life of this country. It would appear that one need only say that so and so is disloyal. At once he gets a license to say anything and to shower abuses upon anybody. What is Mr. Kesavan's place in the public life of this State? I am saying this because his name has been introduced in the House and he is not here to defend himself, I think it is my duty to defend him.

PRESIDENT: The defence of Kesavan except in so far as it appertains to this resolution would be irrelevant.

MR. V. K. VELAYUDHAN: I think I may be permitted to refer to the activities of Mr. Kesavan so far as it relates to the Joint Political Congress because it was at a special session of the Joint Political Congress convened for receiving Mr. Kesavan that our Deputy President had taken part. The Joint Political Congress and the S. N. D. P. Yogam which is the accredited organisation of the nine lakhs of Ezhavas in the country, and of which Mr. Kesavan is the General Secretary stand for communal justice and communal justice alone. Neither the Joint Political Congress nor the S. N. D. P. Yogam has anything in their policy or programme against the Government or against our Maharaja. But it will be seen that there is a move in this country to view with suspicion any act, any utterance, on the part of the people who belong to either of these associations. The reason is obvious. Mr. Kesavan did stand for communal representation in public institutions and in the public service. One important community in the State opposed that agitation.

PRESIDENT: Order, order, I have been, for obvious reasons giving the utmost latitude to the Hon'ble member because on the other side certain references were made to Kesavan, and it was quite within the rights of the Hon'ble member to repel those suggestions. But if the Hon'ble member is now going to extend his reference to the activities of the Joint Political Congress and of Kesavan it would be irrelevant to the motion, which is to the effect whether Mr. Varughese does or does not enjoy the confidence of the House because of certain utterances attributed to him.

MR. V. K. VELAYUDHAN: I bow to the Chair and shall not pursue the point further.

Sir, it was rumoured on the very day that Mr. Varughese was elected Deputy President that he will sooner or later be called upon to face this situation. What is the charge now? It was vehemently argued that because he said he was welcoming Mr. Kesavan on behalf of the

51 lakhs of people, all the honour and all the privilege of this House are hanging in the balance. It is beyond my imagination, to conceive how this statement interferes with this House. Let him say 51 lakhs or let him say any number. How is the honour of this House affected by that? In vindicating the honour of this House let it be understood that we on this side of the House will be second to none; but merely because the Deputy President who happened to belong to the Joint Political Congress said at a meeting that he is welcoming a man who according to his conscience has undergone sacrifices on behalf of the people, how can that statement by any stretch of imagination be said to affect the honour or the privilege of this House?

Again, as to what actually happened let me say a word. I was present at the Alleppey meeting. I was one of those who convened that meeting. My impression is that Mr. Varughese extended a hearty welcome to Mr. Kesavan and welcomed him to work for the whole population of the State. Till then he was carrying on an agitation on behalf of only 28 lakhs of the people, the communities comprised in the Joint Political Congress. Mr. Varughese on that occasion welcomed Mr. Kesavan to work for the entire population. Because of his sacrifices Mr. Kesavan was considered to be the fittest person to look beyond communal considerations and to create an atmosphere of communal harmony. It was that sentiment that was given expression to by Mr. Varughese on that occasion. That Mr. Varughese could not have meant anything else will be made plain if you will go through the reply of Mr. Kesavan. He has in unmistakable terms stated, "I have forgotten the past and hereafter my services are there for the whole country." Now I can speak to the correctness of that fact from personal knowledge. But the arguments in support of the motion show that Mr. Varughese has been thoroughly misunderstood. One section of this House seems to think that Mr. Varughese deliberately arrogated to himself the representation of the entire population and welcomed Mr. Kesavan in that capacity. I maintain that Mr. Varughese could not have meant it, because Mr. Varughese was ever conscious of the fact that there was a section of the people opposed to the agitation successfully carried on by Mr. Kesavan. There was that opposition from the very beginning of the agitation. How could Mr. Varughese have lost sight of that fact? Therefore my position is that Mr. Varughese would not have intended to say that he was representing the whole people of the country while welcoming Mr. Kesavan. I hope the hon'ble members who spoke vehemently in support of the motion will be greatly relieved when they are told this fact. Well it is for Mr. Varughese to explain to the House what he really meant by those utterances. My position is that even if he said that he was welcoming Mr. Kesavan on behalf of the entire population, that has nothing to do with the deliberations of this House. It is quite common when some great person from British India pays a visit to Trivandrum that a small committee present an address of welcome in the name of the entire people in the country. Has anybody taken objection on such occasion? There may be thousands of people in the country who may not

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subscribe to the sentiments in such addressess. Has anybody cared to raise any objection? But why this statement alone is vehemently protested against now? The reasons are plain to everybody. It was because of that that somebody observed or feared that there is an undercurrent behind this motion. I too, realising my full responsibility share that feeling. Let us all remember that this is not the occasion or the place for giving vent to party feelings. Let us have it outside. The care, the well being and the prosperity of the country as a whole are trusted in our hands. This House is not intended for its members to fight against each other and cast aspersions on each other. Whatever might be our differences, when we are within this House let us forget them and rise above party feelings. Let us view this motion which to me is of a frivolous character from a dispassionate point of view. With these observations I strongly oppose the motion.

MR. PUTHUPALLY S. KRISHNA PILLAI: It was said that the member was present at Alleppey when the first speech was made. Does the member affirm the statement that Mr. Varughese made then?

PRESIDENT: He has made clear his views on that matter.

MR. M. G. MATHEW: Sir, a number of honourable members have been speaking on this motion. The only point to be considered is whether the Deputy President has the confidence of this House or not.

The analogy of the Speaker of the House of Commons has been raised in this case. Sir, the office of Deputy President is a statutory creation, and as such is governed by statute and rules, if any, framed under the Statute. Section 7 of Regulation II of 1108, clearly lays down the duties of the Deputy President. If those are his only duties, it will be for the House to consider whether certain actions of Mr. Varughese outside the House are relevant to the present motion. With the permission of the Chair, I may read the section :

"7. (1) Our Dewan shall be the President of the Assembly.

(2) There shall be a Deputy-President of the Assembly, who shall preside at meetings of the Assembly in the absence of the President, or whenever necessary, in accordance with rules made under this Regulation. The Deputy President shall be a member of the Assembly elected by the Assembly in accordance with rules under this Regulation and approved by Our Government.

(3) The Deputy President shall cease to hold office if he ceases to be a member of the Assembly. He may resign office by writing under his hand addressed to Our Dewan and may be removed from office by a vote of the Assembly with the concurrence of Our Government.

(4) The Deputy President shall receive such salary as may be determined by the Assembly with the concurrence of Our Government."

This is the only Section relevant to the discussion of this motion. No rules have been framed laying down his duties. It was with this point in view that, even at the outset, I raised the point of order whether the actions of the Deputy-President or, for that matter, of any member outside this hall, can be relevant to the present motion. In support of my position, I may also refer to certain details of Parliamentary procedure I shall read:—

PRESIDENT: The Honourable member cannot traverse the ruling of the Chair.

MR. M. G. MATHEW: Sir, when in the House of Commons, questions were sought to be asked regarding the behaviour of members outside the House, it was ruled that those questions were irrelevant. So, it may be said that only the behaviour of members inside the House is a matter for the House to consider control and regulate.

In the case of our Deputy President, his only duty, as can be seen from the Section, is to preside over our deliberations in the absence of the President.

‘There shall be a Deputy President of the Assembly who shall preside at meetings of the Assembly in the absence of the President or whenever necessary, in accordance with the rules made under this Regulation.’

Hence, I am at a loss to know how any action of the Deputy President, either here when he is not presiding, or outside, is relevant to the discussion on hand.

Sir, the Deputy-President of the first Assembly, was taking a full part in the debates of the House and was expressing his own views on many matters both within and without the House. We cannot say that the Deputy President is precluded from holding his own opinion and welcoming a friend of his. His actions outside, it is not for this House to question. It naturally follows that the speeches delivered by Mr. Varughese at Alleppey and elsewhere are irrelevant to the motion before the House. As has been suggested, this is not a proper motion to be moved on the floor of this House. On a former occasion when it was asked whether Mr. Varughese could continue to be a member of his party, the Dewan President made it clear that he could do so. But Mr. Varughese went even a step further and resigned his membership of the party to which he belonged, and he was assigned a separate seat. Further, from the proceedings it will be very clear that he had been holding independent views on many topics different from those of the party to which he belonged and without being subject to the disciplinary rules of the party. That, in my humble opinion, ought to instil greater confidence in him. That ought to be the correct way of viewing the position. If, on the other hand, Mr. Varughese, at the time he was presiding over the deliberations of this House had, on any occasion, been partial or done anything inconsistent with his position as president, there would have been proper grounds for a motion of non-confidence.

[Mr. M. G. Mathew.]

I would request the honourable members of the House to view the question dispassionately, in the cold light of reason and not to be carried away by party feelings and communal wranglings. We are here making history in the early stages of a parliamentary institution. It is up to us to build up our traditions on democratic lines. It is the privilege of every member to express his views untrammelled by considerations of favour or fear. To decide that the Deputy President should not have a free expression of his opinion outside the four walls of this House, is entrenching into the fundamental rights of free speech of a citizen. Such a decision will be setting a premium on undemocratic principles. Nobody would have the freedom to speak as he feels and this House would degenerate into an undemocratic institution, and cease to grow on democratic lines. It should therefore be the desire of every honourable member to look at the question from a liberal point of view, to consider if Mr. Varughese did anything at all verging on anything deserving of an impeachment at the hands of his fellow members who elected him to the position of Deputy President.

Sir, the position of the Speaker of the House of Commons is entirely different from that of the Deputy Speaker and the Chairman of the Committee of Ways and Means in Parliament. When the Speaker finds it inconvenient on any occasion to preside, he deposes the Deputy Speaker or the Chairman of the Committee of Ways and Means to do so. Except when they so preside it is open to them to speak and vote as they like, to take part in the political activities and views of their party both within and without the House. This is the convention in England. The Speaker alone does not and could not belong to any party on acceptance of the office of Speaker, and the convention has grown up that he should not belong to any party. Our Deputy-President can preside only in the absence of and as directed by the President. He is free at other times just like the Deputy Speaker of the House of Commons to belong to any party and give vent to his political views. He is free like any member to make speeches at Alleppey or Quilon or to welcome Mr. Kesavan or anyone he likes. If for such matters not concerning the House, the House would propose to move a motion of non-confidence, it is very doubtful whether any proper person would be willing to serve as the Deputy President. This is a matter which should engage the serious attention of all who have the betterment of our country and of our representative institutions at heart.

Sir, I would appeal to the House once again to view the question dispassionately and free from party considerations, and to appreciate the fact that the Deputy President has not contravened any of the provisions of the Statute, and has done nothing to merit the loss of the confidence in him.

MR. T. M. VARUGHESE (*Deputy President*): I have been, naturally, listening with considerable interest to the speeches made by the honourable members of this House. I am glad that it has been assured by them that they would view the question dispassionately and without bringing to bear upon it any considerations of party politics.

PRESIDENT : Order, Order. In order to enable Mr. Varughese to finish his statement, the House may have to sit a little longer than usual.

MR. T. M. VARUGHESE : It has been assured that a decision would be arrived at purely on the merits of the question. I feel greatly gratified at that assurance. I never felt irritated or disturbed when I heard the various allegations that were, with sufficient consideration, levelled against me by the honourable members of this House. I know very many important things that take place here on this side of the grave do take place as a result of misunderstandings. If it is honest misunderstanding it is capable of rectification. There is no scope for deliberation in misunderstanding. If your friends or foes will not understand or refuse to understand you, or having understood you aright pretend not to have understood you there is no scope for rectification. I am sure there is no such deliberate attitude so far as this House is concerned. It is on that assumption that I proceed to make a very brief statement touching upon the allegations that were levelled against me.

When I heard about this no-confidence motion, my first impulse was to remain silent or make, if at all, a very brief statement. Some of my friends who now advised me as to the desirability of that step—the honourable members I hope will not misunderstand my reference to this matter—had, after my election as Deputy President, told me that there was a deliberate move for a no-confidence motion being, at the earliest opportunity, put up against me. The self-same gentlemen when they happened to meet me here a few days ago reminded me of their prophecy on the matter. I then told them it was a wild guess that they made at the outset and the fact that their guess has become an accomplished fact was nothing but an accident.

MR. K. G. KUNJUKRISHNA PILLAI : Is that gentleman a member of this House?

MR. T. M. VARUGHESE : No, he is not. I believed that the prophecy made by that gentleman was based upon his imagination and the coincidence that it became an accomplished fact was nothing but a chance. Anyway, I have decided to follow a different course and shall try to give a short statement touching upon matters that are relevant to the allegations. I am alive to the prestige of this House and its privileges and in the matter of keeping up such prestige and maintaining such privileges, I may assure the honourable members of this House that I am second to none here. Apart from my position as Deputy President, I have the position of a member of this House. The cessation of my position as Deputy President does not mean expulsion from the House. I have to remain here with the other honourable members for three and a half years more and therefore the prestige and privileges of the House are as much mine as they are of any other honourable member. As has been observed by the President and incidentally referred to by some of the speakers, there has not arisen here any definite convention in regard to the position and attitude to be adopted by the Deputy President relating to his conduct in respect of

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any party in the House, much less in regard to his attitude and activities, political or otherwise, outside the House. Nevertheless it is very good and desirable that a convention as was suggested by the Hon'ble member Mr. Thanu Pillai is brought into being. In the absence of any precedent or convention, I think I may safely leave the matter in the hands of the honourable members of this House without any further comments or arguments. Nevertheless, I shall invite the attention of the honourable members to one or two matters which appear to me to be of paramount importance. When it is conceded by all the honourable members who spoke on the subject that there is no definite Rule or Standing Order or any specific provision in the Regulation which prescribes what attitude the Deputy President should take in regard to his conduct, public or private, outside this House, and when no convention relating to that matter has been created during the previous Assembly when there was an elected Deputy President, what is the principle on the basis of which the honourable members are proceeding to act? We are now trying to make a precedent and originate a convention for the first time and that by starting a no-confidence motion. The honourable members of this House will deliberate for themselves, unmoved by any extraneous considerations whether that is the proper beginning of a healthy convention. I request the honourable member to view my statements as if I am not personally interested or concerned in the question. I am trying, as far as possible, to dissociate myself from the personal interest I have in the matter. Sir, we cannot be unmindful of the fact that, as creating a precedent or as constituting the first step in a convention this decision, with the circumstances that led up to it, will be handed down to history.

Coming to the facts, one of the honourable members that spoke about the matter referred to my speech at Alleppey. I mean Mr. Velayudhan. He was present there. I do not know whether he fully heard me. It was difficult for many to hear, because, on account of the large crowd that assembled there, there was a kind of confusion when the welcome speech was being delivered. But I know that Mr. Velayudhan was within a few feet of the place which I occupied at the time. In the first place I may assure the House, irrespective of the result of this motion that is placed before the House for its consideration and with absolute unconcern, that even if informally a few of my friends here were to assure me or tell me that my giving up of the Deputy Presidency will be conducive to the interests of this House or will enhance its dignity and prestige, or will in however small a degree, ensure the welfare of the country at large by creating harmony and good feelings among the different sections of the people I would certainly have resigned the place. Therefore if the House were to pass this resolution by a majority there is no more question about it. I shall not wait for a moment for the concurrence of Government as is provided for in the Section. The question raised in the point of order as to whether the

Government can and need be called upon to concur in the decision of the House will not actually arise in my case because in the event of a vote of no-confidence by the House I have decided to tender my resignation.

Another statement I want to make is this. The honourable members may take it that I never made or intended to make at Alleppey or at any other meeting that I attended any statement in my capacity as Deputy President of this House. That is the first thing. The motion made and the relevant discussions based thereon appear to centre round the question as to whether I made use of my position as the Deputy President of this House for the purpose of enabling me to make a statement elsewhere that I represented all the fifty one lakhs of the people of this country. No doubt I did use the term 51 lakhs of people. What ever I said there I said in my individual private capacity. I did not expressly say that it was in my private capacity that I was making that statement. But if I did not clearly express and that in so many words that it was in my capacity as Deputy President that I made that statement, the only natural, legitimate and reasonable inference that could be drawn from my words will be that it was only in my private capacity that I made the statement. Again unless there is something either in the context or in the occasion which would necessitate or warrant the conclusion that it was in my capacity as Deputy President of this House that I made that statement, the inference is irresistible, I should think, that it was in my private capacity that I made it, and I here assert that it was purely in my private capacity that I did so. There was in fact absolutely no reference to my capacity as the Deputy President. I had not occupied the position of the Deputy President for such a long time as to make me feel in season and out of season that I am a Deputy President and to bring that fact consciously or unconsciously to bear upon all my doings and utterances outside the House. In fact it was only for a few hours that I had to preside over this House and every action of mine whether in my public or private capacity could not possibly be traced to the fact of my being a Deputy President or even to my recognition of that fact. And when I welcomed Mr. Kesavan I did not in the least advert to my Deputy Presidentship. If it is within the competence of this House to question the character and conduct of the Deputy President in his public capacity outside the House, by all means do so. If I have really gone wrong, I may be called upon to answer. If I have transgressed the law there is the procedure of law that may be applied against me. So that, apart from the question whether the statement that I made was right or wrong, was appropriate or inappropriate, justifiable or unjustifiable, the only matter that arises for consideration at present is whether I made the statement in my capacity as Deputy President or not. The best authority, and the most competent authority, to say in what capacity I made that statement, I believe, will be myself and none else. Unless there is something specific and definite in the circumstances that would lead to the irresistible conclusion that it was as the Deputy President of this House that I made the statement my unreserved statement before the honourable

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members of this House that I made it in my private individual capacity has to be accepted without reservation. I believe that fact will not be called in question.

Going into the merits of the statement itself the question as to whether I should defend my position is, to me, a matter of considerable doubt. I hesitate whether I should enter upon it because I think I shall be unnecessarily entering upon debatable ground. Anyway though originally, as I represented to the House at the outset, I did not want to speak in detail, I think I owe it to this House, and it is in consonance with the prestige of the House and mine, that I speak at some length on all relevant matters. I also feel it is desirable to do so, lest my silence or brevity be mistaken for cowardice or misinterpreted as something indicating a guilty conscience. In regard to the statement itself I am not now in a position to say what exactly were the very words that I used but I can certainly say what exactly was the idea that was in my mind. The House may be interested to know from me that before the meeting at Alleppey was convened there was occasion for me to discuss with Mr. Kesavan matters in regard to his future programme.

PRESIDENT : Order, order. As I told honourable members of this House, it is not my object to curtail his statement because he must be given the fullest opportunity of making such a statement as he desires to furnish. In any case the discussion and the voting on this motion may not be finished to-day. I, therefore, propose, with the leave of the honourable members, if they consent to it to devote one hour between 10 and 11 tomorrow morning for the making of the statement and the conclusion of the proceedings. After that, the House will begin the non-official business. I think that will conduce to convenience all round. If, on the other hand, Mr. Varughese would like to finish now, I would rather give him 10 or 15 minutes more.

MR. T. M. VARUGHESE : All that I meant was--

PRESIDENT : As I said, I do not want to curtail the honourable member's rights. I would therefore leave it entirely to him to finish his statement just now. If he would rather finish his statement tomorrow, the House will sit at ten o'clock and then he can make his statement and other members also will have opportunities to say anything arising out of that statement. Perhaps that will be a more satisfactory conclusion of that matter. I leave it to the honourable member.

MR. T. M. VARUGHESE : We will have it tomorrow.

The House adjourned at 5-5. P. M. to meet again at 10 o'clock the next day.

E. I. CHACKO,
Secretary to the Sri Mulam Assembly.